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United States Department of Agriculture

AGRICULTURAL RESEARCH SERVICE

PLANT PEST CONTROL DIVISION
PLANT QUARANTINE DIVISION

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U. S. DEPARTMENT OF AGRICULTURE

PLANT REGULATORY ANNOUNCEMENTS¹

JANUARY-DECEMBER 1956

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¹Edited by Ralph W. Sherman, Staff Assistant, Plant Quarantine Division.

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QUARANTINE AND OTHER OFFICIAL ANNOUNCEMENTS

ANNOUNCEMENTS RELATING TO BLACK STEM RUST QUARANTINE (NO. 38)

P. P. C. 577, Second Revision

Effective July 3, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—BLACK STEM RUST

ADMINISTRATIVE INSTRUCTIONS DESIGNATING RUST-RESISTANT SPECIES AND VARIETIES OF BARBERRY, MAHOBERBERIS, AND MAHONIA PLANTS

Pursuant to the authority conferred upon him by § 301.38-5 of the regulations (7 CFR, 1954 Supp. 301.38-5) supplemental to the Black Stem Rust Quarantine (Notice of Quarantine No. 38, 7 CFR, 1954 Supp., 301.38) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), the Chief of the Plant Pest Control Branch hereby revises the administrative instructions in 7 CFR, Supp., 301.38-5a (20 F. R. 2150) to read as follows:

§ 301.38-5a *Administrative instructions designating rust-resistant barberry, mahoberberis, and mahonia plants.* (a) The Chief of the Branch, upon the basis of evidence satisfactory to him, has determined that the following species and horticultural varieties of barberry, mahoberberis, and mahonia are resistant to black stem rust, and such species and varieties are hereby designated as rust-resistant:

Scientific name:

Berberis arido-calida.
 B. beaniana.
 B. buxifolia.
 B. buxifolia nana.
 B. calliantha.
 B. candidula.
 B. chenaulti.
 B. circumserata.
 B. concinna.
 B. darwini.
 B. formosana.
 B. franchetiana.
 B. gagnepaini.
 B. gilgiana.
 B. horvathi.
 B. hybrido-gagnepaini.
 B. insignis.
 B. julianae.
 B. koreana.
 B. lempergiana.
 B. lepidifolia.
 B. linearifolia.

Scientific name—Continued

B. linearifolia var. Orange King.
 B. lologensis.
 B. mentorensis.
 B. pallens.
 B. potanini.
 B. Renton.
 B. replicata.
 B. sanguinea.
 B. sargentiana.
 B. stenophylla.
 B. stenophylla diversifolia.
 B. stenophylla gracilis.
 B. stenophylla irwini.
 B. stenophylla nana compacta.
 B. telomaica artisepala.
 B. thunbergi.
 B. thunbergi atropurpurea.
 B. thunbergi atropurpurea nana.
 B. thunbergi erecta.
 B. thunbergi "globe".
 B. thunbergi "golden".
 B. thunbergi maximowiczii.

Scientific name—Continued

B. thunbergi minor.
 B. thunbergi pluriflora.
 B. thunbergi "thornless".
 B. thunbergi "variegata".
 B. thunbergi xanthocarpa.
 B. triacanthophora.
 B. verruculosa.
 B. virgatorum.
 B. xanthoxylon.
 Mahoberberis aquicandidula.
 M. aquisargentiae.

Scientific name—Continued

M. miethkeana.
 Mahonia aquifolium.
 M. bealei.
 M. compacta.
 M. dictyota.
 M. fortunei.
 M. lomarifolia.
 M. nervosa.
 M. pinnata.
 M. repens.

(b) Plants of the species and varieties listed in paragraph (a) of this section may be moved interstate in compliance with the regulations in this subpart.

(c) Under the regulations in this subpart, seeds and fruits of the species and varieties listed in paragraph (a) of this section, if produced in any of the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, may be moved between such States only under permit or, wherever produced, may be moved from the States named to points outside thereof, and between States other than those named, without restriction. Under the regulations, seeds and fruits of the species and varieties listed in paragraph (a) of this section generally are prohibited movement into the States named.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

These instructions shall become effective on July 3, 1956, when they shall supersede P. P. C. 577, revised, effective April 6, 1955 (7 CFR, Supp., 301.38-5a).

The purpose of this amendment is to add to the list of rust-resistant species and horticultural varieties of barberry, mahoberberis, and mahonia plants the following two additional species and varieties: Mahoberberis aquicandidula and Mahoberberis aquisargentiae. The designation of such rust-resistant species and varieties in effect constitutes a relaxation of the restrictions of the regulations and depends upon facts within the knowledge of the Plant Pest Control Branch. It has been determined that there is no unwarranted pest risk involved in the permitted movement of such species and varieties. The determination having been made that these species and varieties are rust-resistant, authorization for their movement in accordance with the regulations should be accomplished promptly. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure concerning these instructions are impracticable, unnecessary, and contrary to the public interest, and since the instructions relieve restrictions, they may be made effective less than thirty days after publication in the Federal Register.

Done at Washington, D. C., this 27th day of June, 1956.

[SEAL]

E. D. BURGESS,
 Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, July 2, 1956, 8:49 a. m.; 21 F. R. 4905.]

ANNOUNCEMENTS RELATING TO FLAG SMUT QUARANTINE (NO. 59)

P. Q.—Q. 59 Amendment

Effective February 25, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FLAG SMUT

DELETION OF NETHERLANDS FROM LIST FROM WHICH WHEAT GRAIN AND CERTAIN
 OTHER PRODUCTS MAY NOT BE IMPORTED

Pursuant to sections 5 and 7 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 159, 160), notice of quarantine No. 59 relating to the flag smut disease, as revised (7 CFR 319.59), is hereby amended by deleting the Netherlands from the list of foreign countries and localities therein, from

which wheat grain and certain other products may not be imported except as permitted by regulations supplemental to the notice of quarantine.

At the time Flag Smut Quarantine No. 59 was revised, effective June 8, 1953, the Netherlands was added to the list of flag smut infected countries. This action was based on two references in available European scientific literature which suggested that the flag smut of wheat, *Urocystis tritici* Koern., occurred in the Netherlands. Through a confusion in identity *Urocystis tritici* Koern. was considered by certain European scientists as synonymous with *U. occulta* (Wallr.) Rab., the latter a similar smut attacking rye in Europe and in the United States as well. Most mycologists and plant pathologists now consider these two fungi to be different organisms and it is believed that the reported occurrence of *Urocystis tritici* Koern. in the Netherlands was in error. Therefore, this amendment is adopted to conform the quarantine to the latest informaton on the distribution and occurrence of the flag smut of wheat.

The purpose of this amendment is to relieve restrictions heretofore imposed. In order to be of maximum benefit to importers of wheat grain and other regulated products, the amendment should be made effective as soon as possible. Accordingly under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to this amendment are impracticable and contrary to the public interest, and since it relieves restrictions it may be made effective less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies secs. 5, 7, 37 Stat. 316, 317; 7 U. S. C. 159, 160)

This amendment shall be effective February 25, 1956.

Done at Washington, D. C., this 20th day of February 1956.

[SEAL]

M. R. CLARKSON,

Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, February 24, 1956, 8:53 a. m.; 21 F. R. 1258.]

[Copies of the above order were sent to interested governments through American diplomatic and consular officers of the Department of State.]

ANNOUNCEMENTS RELATING TO FRUIT AND VEGETABLE QUARANTINE (NO. 56)

P. Q. 608, Revised

Effective May 25, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FRUITS AND VEGETABLES

ADMINISTRATIVE INSTRUCTIONS PRESCRIBING METHOD OF TREATMENT OF MANGOES FROM WEST INDIES

On May 1, 1956, notice of proposed revision of administrative instructions now appearing as § 319.56-2i in Title 7, Code of Federal Regulations, 1954 Supp., was published in the Federal Register (21 F. R. 2846). After due consideration of all relevant matters presented, the Chief of the Plant Quarantine Branch, pursuant to the authority conferred on him by § 319.56-2 of the regulations supplemental to the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 CFR and Supp. 319.56) under section 5 of the Plant Quarantine Act of 1912 (7 U. S. C. 159), hereby issues revised administrative instructions to appear as § 319.56-2i in Title 7, Code of Federal Regulations, as follows:

§ 319.56-2i *Administrative instructions prescribing method of treatment of mangoes from the West Indies*—(a) *Fumigation upon arrival.* Approved fumigation with ethylene dibromide at normal atmospheric pressure, in accordance with the following procedure, upon arrival, is hereby prescribed as a condition of entry under permit under § 319.56-2 for all shipments of mangoes from the West Indies other than those entered in accordance with the alternate procedure authorized in paragraph (b) of this section:

(1) *West Indies.* As used in this paragraph, the term "West Indies" means the foreign islands lying between North and South America, the Caribbean Sea, and the Atlantic Ocean, including, among others, Cuba, Jamaica, Dominican Republic, and the Bahama, Leeward and Windward Islands, but excluding the chain of islands adjacent and parallel to the north coast of South America (the largest of which are Aruba, Curacao, Bonaire, Tortuga, Margarita, Trinidad, and Tobago).

(2) *Ports of entry.* Mangoes to be offered for entry must be shipped direct from the country of origin to New York or such other North Atlantic ports as may be named in the permit.

(3) *Precooling of fruit.* Mangoes to be offered for entry must be cooled to a maximum temperature of 50° F. prior to unloading from the ship. The fruit may not be removed from the vessel until an inspector of the Plant Quarantine Branch has satisfied himself that this requirement has been complied with and that the fruit can be moved promptly to the fumigation chamber.

(4) *Approved fumigation.* (i) The approved fumigation shall consist of fumigation with ethylene dibromide at normal atmospheric pressure, in a fumigation chamber which has been approved for that purpose by the Plant Quarantine Branch. The dosage shall be applied at the following rates:

6 ounces of ethylene dibromide per 1,000 cubic feet of space for 2 hours at 80° F.
8 ounces of ethylene dibromide per 1,000 cubic feet of space for 2 hours at 70° F.

Cubic feet of space shall include the load. The 2-hour period of exposure shall begin when all of the fumigant has been introduced into the chamber. The required temperatures apply to both air and fruit. The ethylene dibromide must be applied in the liquid state and volatilized within the sealed fumigation chamber by direct contact with a highly heated metal surface over an electric hot plate or other suitable heating medium. The gas shall be circulated within the chamber continuously for the 2-hour period by an electric fan or blower.

(ii) Mangoes to be fumigated may be packed in crates with shredded packing material. When fruits are individually wrapped in paper the wrappings must be removed before fumigation. When loaded in the fumigation chamber the crates or other containers shall be separated at least 2 inches on all sides by wooden strips or other means. The chamber shall not be loaded to more than 50 percent of capacity.

(5) *Other conditions.* The unloading of fruit from the vessel, its delivery to an approved fumigation plant, and the fumigation procedure will be under the supervision of an inspector of the Plant Quarantine Branch. The unloading and delivery shall be conducted in accordance with such safeguard requirements as the inspector may impose to prevent the dissemination of injurious insects. Final release of the fruit for entry into the United States will be conditioned upon compliance with such safeguard requirements and the prescribed regulations.

(6) *Costs.* All costs of treatment and required safeguards and supervision, other than the services of the supervising inspector during regularly assigned hours of duty and at the usual place of duty, shall be borne by the owner of the mangoes, or his representative.

(7) *Department not responsible for damage.* The treatment prescribed in subparagraph (4) of this paragraph is judged from experimental tests to be safe for use with mangoes. However, the Department assumes no responsibility for any damage sustained through or in the course of treatment, or compliance with requirements under subparagraph (5) of this paragraph or in the precooling of fruit required prior to unloading from the vessel.

(b) *Alternate procedure.* Mangoes produced in Cuba if satisfactorily treated in Cuba and otherwise handled and certified as provided in this paragraph will be eligible for entry under permit under § 319.56-2.

(1) *Approved fumigation.* The mangoes shall be fumigated at approved plants in Cuba in accordance with paragraph (a) (4) of this section.

(2) *Approval of fumigation plants; costs of supervision.* Fumigation in Cuba will be contingent upon the availability of a fumigation plant approved by the Chief of the Plant Quarantine Branch to apply the treatment prescribed in paragraph (a) (4) of this section and upon the availability of qualified personnel for assignment to approve the plant and to supervise the treatment and post-treatment handling of the mangoes in Cuba. Those in interest must make advance arrangements for approval of the fumigation plant and

for supervision, and furnish the Chief of the Plant Quarantine Branch with acceptable assurances that they will provide, without cost to the United States Department of Agriculture, all transportation, per diem, and other incidental expenses of such personnel and compensation for such personnel for their services in excess of 40 hours weekly, in connection with such approval and supervision, according to the rates established for the payment of inspectors of the Plant Quarantine Branch.

(3) *Supervision of fumigation and subsequent handling.* The fumigation prescribed in this paragraph and the subsequent handling of the mangoes so fumigated must be under the supervision of a representative of the Plant Quarantine Branch. The treated fruit must be safeguarded against reinfestation during the period prior to shipment from Cuba, in a manner required by such representative.

(4) *Certification.* Mangoes will be certified by a representative of the Plant Quarantine Branch in Cuba for entry into the United States upon the basis of treatment under this paragraph and compliance with the post-treatment safeguard requirements imposed by such representative. The final release of the fruit for entry into the United States will be conditioned upon compliance with such requirements and upon satisfactory inspection on arrival to determine efficacy of treatment.

(5) *Costs.* All costs incident to fumigation, including those for constructing, equipping, maintaining and operating fumigation plants and facilities, and carrying out requirements for post-treatment safeguards, and all costs as indicated in subparagraph (2) of this paragraph incident to plant approval and supervision of treatment and subsequent handling of the mangoes in Cuba shall be borne by the owner of the fruit or his representative.

(6) *Department not responsible for damage.* The treatment prescribed in paragraph (a) (4) of this section is judged from experimental tests to be safe for use with mangoes. However, the Department assumes no responsibility for any damage sustained through or in the course of treatment, or because of post-treatment safeguards.

(7) *Ports of entry.* Mangoes to be offered for entry in accordance with the alternate procedure provided for in this paragraph may be entered under permit at any United States port where an inspector is stationed.

(8) *Ineligible shipments.* Any shipments of mangoes produced in Cuba that are not eligible for certification under the alternate procedure provided for in this paragraph may enter only upon compliance with paragraph (a) of this section.

The purpose of this revision is to authorize an alternate procedure for the fumigation of mangoes grown in Cuba and their entry into the United States when they have been certified by a representative of the Plant Quarantine Branch as having been fumigated and safeguarded at point of origin under his supervision. Final release of the fruit for entry is conditioned upon compliance with specified safeguards. All transportation, per diem, and other incidental expenses and overtime salaries of the inspectors in connection with the procedure will be borne by the owners or shippers of the mangoes.

Since the revised administrative instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the Federal Register.

These administrative instructions shall be effective May 25, 1956, when they shall supersede 2 CFR 1954 Supp. 319.56-21, issued March 2, 1954, effective March 6, 1954.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 5, 37 Stat. 316; 7 U. S. C. 159)

Done at Washington, D. C., this 22d day of May 1956.

[SEAL]

H. S. DEAN,

Acting Chief, Plant Quarantine Branch.

[Filed with the Division of the Federal Register, May 24, 1956, 8:53 a. m.; 21 F. R. 3485.]

[Copies of the above order were sent to all transportation companies engaged in commerce between Puerto Rico and the U. S. mainland.]

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FRUITS AND VEGETABLES

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS PRESCRIBING
METHOD OF TREATMENT OF MANGOES FROM WEST INDIES

Pursuant to the authority conferred by § 319.56-2 of the regulations supplemental to the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 CFR 319.56) under section 5 of the Plant Quarantine Act of 1912 (7 U. S. C. 159), the Chief of the Plant Quarantine Branch hereby amends § 319.56-2i (a) (4) (i) of the administrative instructions appearing as 7 CFR 319.56-2i, 21 F. R. 3485, effective May 25, 1956, to read as follows:

§ 319.56-2i *Administrative instructions prescribing method of treatment of mangoes from the West Indies.* * * *

(a) *West Indies* * * *

(4) *Approved fumigation.* (i) The approved fumigation shall consist of fumigation with ethylene dibromide at normal atmospheric pressure, in a fumigation chamber which has been approved for that purpose by the Plant Quarantine Branch. The dosage shall be applied at the following rates:

Temperature (° F.)	Dosage (pounds of ethylene dibromide per 1,000 cubic feet)	Exposure period (hours)
80-89.....	$\frac{3}{4}$	2
70-79.....	1	2
55-69.....	$1\frac{1}{4}$	2

The temperature to be used in determining the dosage schedule shall be the lower of the temperatures of the air and fruit. Cubic feet of space shall include the load. The ethylene dibromide must be applied in the liquid state and volatilized within the sealed fumigation chamber in an electrically heated vaporizing pan. The electrically heated vaporizing pan shall be controlled by a switch outside of the fumigation chamber and shall be equipped with a signal light to indicate when the current is on or off. The 2-hour period of exposure shall begin 15 minutes after all liquid ethylene dibromide has been injected into the electrically heated vaporizing pan inside the fumigation chamber, after which the electric current for the vaporizing pan can be turned off. The gas shall be circulated within the chamber continuously for the 2-hour period by an electric fan or blower.

The purpose of his amendment is to revise upward the dosages required at 70° and 80° F. to conform to recent experimental evidence that such increases are necessary and to provide an alternate schedule for treating fruit at temperatures below 70° F. Inasmuch as mangoes to be fumigated on arrival in the United States are first precooled to 50° F. before unloading from the ship, the previous requirement that the temperature be raised to at least 70° F. before fumigation resulted in delay and added expense to the importer. The lower temperature schedule will avoid this delay and expense. This amendment should be made effective at the earliest practicable date insofar as it imposes stricter requirements in order to prevent the spread of injurious insects by shipments of mangoes from the West Indies and insofar as it relieves restrictions in order to be of maximum benefit to the importers of the mangoes. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure on this amendment

are impracticable, unnecessary, and contrary to the public interest and good cause is found for making this amendment effective less than 30 days after publication in the Federal Register.

This amendment shall be effective October 19, 1956.

(Sec. 5, 37 Stat. 316; 7 U. S. C. 159)

Done at Washington, D. C., this 16th day of October, 1956.

[SEAL]

E. P. REAGAN,
Chief, Plant Quarantine Branch.

[Filed with the Division of the Federal Register, October 18, 1956, 8:51 a. m.; 21 F. R. 8045.]

[Copies of the above order were sent to all transportation companies engaged in commerce between Puerto Rico and the U. S. mainland.]

P. Q.—Q. 56, Amendment

Effective December 29, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—FRUITS AND VEGETABLES

AMENDMENT OF FRUIT AND VEGETABLE QUARANTINE REGULATIONS

Pursuant to the authority conferred by sections 5 and 9 of the Plant Quarantine Act of 1912 (7 U. S. C. 159, 162), § 319.56-2 of the regulations supplemental to Fruit and Vegetable Quarantine No. 56 (7 CFR 319.56-2) is amended by deleting therefrom the final sentence in the fifth paragraph thereof, reading, "However, entry of pineapples from Jamaica is restricted to the Port of New York and to such other northern ports as may be designated in the permits."

A recent survey in Jamaica by an entomologist of the United States Department of Agriculture disclosed that the pest risk previously associated with Jamaican pineapples does not now exist when the pineapples are grown under cultural conditions required for commercial production. Commercially-produced pineapples, therefore, may be safely authorized entry at all ports subject to inspection on arrival to confirm their freedom from injurious insects. Consequently, it is no longer considered necessary to restrict the entry of Jamaican-grown pineapples to the port of New York or to such other northern ports as might be authorized.

This amendment shall be effective on December 29, 1956.

This amendment is a relieving of restrictions now existing which are no longer necessary as indicated above. The amendment should be made effective as soon as possible to be of maximum benefit to importers. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure are impracticable, unnecessary, and contrary to the public interest. Since the amendment relieves restrictions it may, under said section 4, be made effective less than 30 days after its publication in the Federal Register.

(Sec. 3, 33 Stat. 1270, sec. 9, 37 Stat. 318, 7 U. S. C. 143, 162)

Done at Washington, D. C., this 26th day of December 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, December 28, 1956, 8:52 a. m.; 21 F. R. 10465.]

ANNOUNCEMENTS CONCERNING QUARANTINE ON FRUITS AND VEGETABLES FROM PUERTO RICO OR VIRGIN ISLANDS (NO. 58)

P. Q. 594, Revised

Effective October 19, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—FRUITS AND VEGETABLES FROM PUERTO RICO OR VIRGIN ISLANDS

REVISED ADMINISTRATIVE INSTRUCTIONS AUTHORIZING MOVEMENT OF MANGOES FROM PUERTO RICO AFTER APPROVED FUMIGATION

Pursuant to the authority conferred by §§ 301.58-2 and 301.58-3 of the regulations supplemental to Quarantine No. 58 relating to Fruits and Vegetables from Puerto Rico or the Virgin Islands (Notice of Quarantine No. 58, 7 CFR 301.58-2 and 301.58-3) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), the Chief of the Plant Quarantine Branch hereby amends the administrative instructions appearing as 7 CFR 301.58-3d, effective October 1, 1951, as amended effective March 18, 1953, to read as follows:

§ 301.58-3d *Administrative instructions authorizing the movement of mangoes from Puerto Rico after approved fumigation*—(a) *Removal from prohibited status*. Mangoes that have been subjected to approved fumigation and otherwise handled as provided for in paragraph (b) are hereby removed from the prohibited status established by § 301.58-2 and may be moved from Puerto Rico in accordance with § 301.58-3 (a).

(b) *Approved fumigation*. (1) The approved fumigation shall consist of fumigation with ethylene dibromide at normal atmospheric pressure, in a fumigation chamber which has been approved for that purpose by the Plant Quarantine Branch. The dosage shall be applied at the following rates:

Temperature (° F.)	Dosage (pounds of ethylene dibromide per 1,000 cubic feet)	Exposure period (hours)
80-89.....	$\frac{3}{4}$	2
70-79.....	1	2
55-69.....	$1\frac{1}{4}$	2

The temperature to be used in determining the dosage schedule shall be the lower of the temperatures of the air and fruit. Cubic feet of space shall include the load. The ethylene dibromide must be applied in the liquid state and volatilized within the sealed fumigation chamber in an electrically heated vaporizing pan. The electrically heated vaporizing pan shall be controlled by a switch outside of the fumigation chamber and shall be equipped with a signal light to indicate when the current is on or off. The 2-hour period of exposure shall begin 15 minutes after all liquid ethylene dibromide has been injected into the electrically heated vaporizing pan inside the fumigation chamber, after which the electric current for the vaporizing pan can be turned off. The gas shall be circulated within the chamber continuously for the 2-hour period by an electric fan or blower.

(2) Mangoes to be fumigated may be packed as for shipping in crates with shredded packing material. When fruits are individually wrapped in paper the wrappings must be removed before fumigation. When loaded in the fumigation chamber the crates or other containers shall be separated at least 2 inches on all sides by wooden strips or other means. The chamber shall not be loaded to more than 50 percent of capacity.

(3) Both the fumigation and the subsequent handling of the mangoes preparatory to shipment must be under supervision of a plant quarantine inspector of

the Plant Quarantine Branch. Fumigated mangoes must be safeguarded against reinfestation during the period prior to shipment in a manner satisfactory to the inspector. Certification of mangoes for shipment will be based on both the treatment and compliance with the prescribed post-treatment safeguards.

(4) All costs of treatment and prescribed post-treatment safeguards, other than the services of the supervising inspector, shall be borne by the owner of the mangoes, or his representative.

(5) While the prescribed treatment is judged from experimental tests to be safe for use with mangoes, the Department assumes no responsibility for any damage sustained through or in the course of treatment.

The purpose of this amendment is to revise upward the dosages required at 70° and 80° F. to conform to recent experimental evidence that such increases are necessary and to provide an alternate schedule for treating fruit at temperatures below 70° F. Inasmuch as mangoes to be fumigated are sometimes held under refrigeration before fumigation, the previous requirement that the temperature be raised to at least 70° F. before fumigation resulted in delay and added expense to the shipper. The lower temperature schedule will avoid this delay and expense. This amendment should be made effective at the earliest practicable date insofar as it imposes stricter requirements in order to prevent the spread of injurious insects by shipments of mangoes from Puerto Rico and insofar as it relieves restrictions in order to be of maximum benefit to the shippers of the mangoes. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this amendment effective less than 30 days after publication in the Federal Register.

These administrative instructions shall be effective October 19, 1956, when they shall supersede 7 CFR 301.58-3d, effective October 1, 1951, as amended effective March 18, 1953.

(Sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161)

Done at Washington, D. C., this 16th day of October 1956.

[SEAL]

E. P. REAGAN,
Chief, Plant Quarantine Branch.

[Filed with the Division of the Federal Register, October 18, 1956, 8:52 a. m.; 21 F. R. 8044.]

[Copies of the foregoing administrative instructions were sent to all transportation companies engaged in commerce between Puerto Rico and the United States mainland.]

ANNOUNCEMENTS RELATING TO GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE (NO. 45)

GYPSY MOTH AND BROWN-TAIL MOTH REGULATED AREAS EXTENDED

(Press Notice)

JULY 5, 1956.

Additions to the gypsy moth regulated area in Connecticut, Maine, New York, and Vermont are made in a revision of quarantine regulations and supplementary instructions effective July 20, the United States Department of Agriculture has announced.

The new orders also combine into a single, continuous gypsy moth regulated area the new area plus the former gypsy moth generally-infested and suppressive areas in the New England States and New York. The brown-tail moth regulated area is also extended in the New England States.

Under one of the revised regulations, the Chief of the Plant Pest Control Branch of USDA's Agricultural Research Service is authorized to issue administrative instructions listing counties and other civil divisions in which infestations of the gypsy moth or brown-tail moth occur or which should be regulated for other reasons. Localities so designated then constitute regulated area.

Localities that have been added to the gypsy moth regulated area for the first time are: *Connecticut*.—Fairfield County, 2 towns in Litchfield County, and 3 towns in New Haven County, constituting all presently nonregulated area in the State. *Maine*.—One town in Penobscot County, and 4 towns in Piscataquis County. *New York*.—Counties of Clinton, Delaware, Nassau, Orange, Otsego,

Putnam, Rockland, Schoharie, Suffolk, Sullivan, Ulster, and Westchester; 1 town in Albany County, 4 towns and one city in Columbia County, 17 towns and 2 cities in Dutchess County, 7 towns in Essex County, 5 towns in Fulton County, 12 towns in Greene County, 3 towns in Hamilton County, 16 towns and 1 city in Herkimer County, 1 town in Madison County, and 11 towns in Oneida County. *Vermont*.—Grande Isle County, 3 towns in Chittenden County, and 9 towns in Franklin County.

The Chief of the Plant Pest Control Branch also is authorized to provide for issuance of certificates of exemption for premises which have been inspected or treated in accordance with approved procedures and permit the movement of regulated articles from such premises without certification.

P. P. C.—Q. 45

Effective July 20, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—GYPSY MOTH AND BROWN-TAIL MOTH

REVISION OF QUARANTINE AND REGULATIONS

On May 4, 1956, there was published in the Federal Register (21 F. R. 2987) a notice of proposed rule making concerning an amendment of notice of quarantine No. 45 relating to the gypsy moth and brown-tail moth and the regulations supplemental to said quarantine (7 CFR, and 1954 Supp., 301.45, 301.45-1 et seq.). After due consideration of all matters presented, and pursuant to sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) and section 3 of the Insect Pest Act (7 U. S. C. 143), the notice of quarantine and supplemental regulations are hereby amended to read as follows:

QUARANTINE	
Sec.	
301.45	Notice of quarantine.
REGULATIONS	
301.45-1	Definitions.
301.45-2	Designation of regulated areas.
301.45-3	Regulated articles.
301.45-4	Conditions governing the movement of regulated articles.
301.45-5	Certificates, limited permits and certificates of exemption.
301.45-6	Marking.
301.45-7	Relieving restrictions of regulations.
301.45-8	Assembly of regulated articles.
301.45-9	Inspection and disposition.
301.45-10	Treatment of means of conveyance and containers.
301.45-11	Nonliability of Department.
301.45-12	Shipments for scientific purposes.

AUTHORITY: §§ 301.45 to 301.45-12 issued under secs. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162.

QUARANTINE

§ 301.45 *Notice of quarantine*. Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and after public hearing required thereby, the States of Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont have been and hereby are continued to be quarantined to prevent the further spread of the gypsy moth (*Porthetria dispar* L.) and the brown-tail moth (*Nygmia phaeorrhoea* Donov.), dangerous insects of foreign origin notoriously injurious to forest and shade trees and not heretofore widely prevalent or distributed within and throughout the United States, and under the authority conferred by the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.), supplemental regulations are hereinafter prescribed (§§ 301.45-1 to 301.45-12) governing the movement of gypsy and brown-tail moths and carriers thereof. Hereafter (a) live gypsy moths and brown-tail moths in any stage of development; (b) timber and timber products; (c) plants having persistent woody stems (including deciduous trees and shrubs and Christmas trees), and parts thereof; (d) stone and quarry products; and (e) any aircraft, trucks, wagons, railway cars, boats, and other means of conveyance, containers and products and articles of any character whatsoever which by reason of infestation or exposure consti-

tute a hazard of spreading the gypsy moth or the brown-tail moth as determined in accordance with the supplemental regulations (§§ 301.45-1 to 301.45-12), shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States into or through any other State, Territory, or District of the United States, in manner or method or under conditions other than those prescribed in the supplemental regulations, as from time to time amended: *Provided*, That the requirements of this quarantine and of the supplemental regulations, except as otherwise provided in the regulations, are hereby limited to the areas in any quarantined State which may be designated as within the gypsy moth regulated area or the brown-tail moth regulated area as provided in the regulations, as long as, in the judgment of the Administrator of the Agricultural Research Service, the enforcement of the regulations as to such regulated areas will be adequate to prevent the spread of the gypsy and brown-tail moths, except that such limitation is further conditioned upon the affected State's providing for and enforcing control of the movement within such State of the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon the State's enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, shall be deemed adequate to prevent the spread therefrom within such State of the infestations of said insects: *Provided, further*, That whenever the Chief of the Plant Pest Control Branch shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the supplemental regulations apply, except live gypsy or brown-tail moths in any stage of development, making it safe to modify, by making less stringent, the requirements contained in the regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modifications shall become effective, for such period and for such regulated area or portion thereof and for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

§ 301.45-1 *Definitions*. For the purpose of the regulations in this subpart the following terms shall be construed, respectively, to mean:

(a) *Gypsy moth*. The insect known as the gypsy moth, *Porthetria dispar* L., in any stage of development.

(b) *Brown-tail moth*. The insect known as the brown-tail moth, *Nygmia phaeorrhoea* Donov. (formerly referred to as *Euproctis chrysorrhoea*), in any stage of development.

(c) *Infestation*. The presence of either the gypsy moth or the brown-tail moth.

(d) *Regulated area*. The counties, cities, townships, towns, plantations, villages, and other minor civil divisions, or parts thereof, in any quarantined State, designated in administrative instructions under § 301.45-2 as coming within the area regulated because of the gypsy moth or within the area regulated because of the brown-tail moth.

(e) *Regulated articles*. Articles the movement of which is controlled under the regulations in this subpart as provided in § 301.45-3.

(f) *Suppressive area*. That part of a regulated area in which suppressive measures are cooperatively carried out with the objective of eradicating infestations in this area, as designated in administrative instructions under § 301.45-2.

(g) *Generally infested area*. All of a regulated area, exclusive of the suppressive area, as designated in administrative instructions under § 301.45-2.

(h) *Inspector*. An inspector of the United States Department of Agriculture.

(i) *"Moved"* (*"movement," "move"*). Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, interstate, directly or indirectly, from or within a regulated area. *"Movement"* and *"move"* shall be construed accordingly.

(j) *Interstate*. From one State, Territory, or District of the United States into or through another.

(k) *Certificate*. A valid document issued by an inspector authorizing the movement of regulated articles.

(l) *Certificate of exemption.* A valid document issued by an inspector certifying to the eligibility for movement of regulated articles from specified inspected or treated premises in accordance with the provisions of administrative instructions under § 301.45-7.

(m) *Limited permit.* A valid document issued by an inspector to allow controlled movement of noncertified regulated articles to a designated and authorized destination for processing, utilization, or other regulated safe handling.

(n) *Dealer-carrier agreement.* A document constituting an agreement to comply with stipulated quarantine conditions, executed by persons or firms engaged in purchasing, handling, processing, utilizing, or moving regulated articles.

§ 301.45-2 *Designation of regulated areas.* The Chief of the Plant Pest Control Branch shall, from time to time, in administrative instructions promulgated by him, list the counties, cities, townships, towns, plantations, villages, and other minor civil divisions, or parts thereof, in the quarantined States, in which infestation of the gypsy moth or brown-tail moth has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate the counties, cities, and other civil divisions, or parts thereof, listed because of the gypsy moth, as constituting the gypsy moth regulated area and shall designate the counties, cities, and other civil divisions, or parts thereof, listed because of the brown-tail moth, as constituting the brown-tail moth regulated area. Civil divisions, or parts thereof, so designated shall continue in a regulated status until the Chief of the Plant Pest Control Branch shall have determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the gypsy moth or brown-tail moth therein, as the case may be, and that regulation of such civil divisions, or parts thereof, is not otherwise necessary under this section, and shall have issued administrative instructions revoking the designation of such civil divisions, or parts thereof, as coming within the gypsy moth regulated area or the brown-tail moth regulated area, as the case may be. The Chief of the Plant Pest Control Branch may, in said administrative instructions promulgated by him, divide a regulated area into a suppressive area and a generally infested area.

§ 301.45-3 *Regulated articles*—(a) *Articles the removal of which is prohibited.* The removal of live gypsy moths or brown-tail moths from any State or Territory into any other State or Territory or the District of Columbia, or from said District into any State or Territory, except for scientific purposes, is prohibited. Provisions for such removal of live gypsy moths or brown-tail moths, for scientific purposes, are set forth in § 301.45-12.

(b) *Articles the movement of which is regulated.* The movement of the following articles from or within the respective regulated area indicated below is regulated as provided in this subpart.

(1) *Gypsy moth regulated area.* (i) Timber and timber products, including but not limited to lumber, planks, poles, logs, cordwood, and pulpwood;

(ii) Plants having persistent woody stems (including deciduous trees and shrubs and Christmas trees) and parts thereof;

(iii) Stone and quarry products;

(iv) Any aircraft, trucks, wagons, railway cars, boats, and other means of conveyance, containers and products and articles of any character whatsoever which by reason of infestation or exposure are determined by an inspector to constitute a hazard of spreading the gypsy moth.

(2) *Brown-tail moth regulated area.* (i) Deciduous trees and shrubs, and branches and other parts thereof, with leaves attached;

(ii) Any aircraft, trucks, wagons, railway cars, boats, and other means of conveyance, containers and products and articles of any character whatsoever which by reason of infestation or exposure are determined by an inspector to constitute a hazard of spreading the brown-tail moth.

§ 301.45-4 *Conditions governing the movement of regulated articles*—(a) *Movement from either regulated area.* Except as exempted by administrative instructions of the Chief of the Plant Pest Control Branch, or as provided in § 301.45-12, regulated articles designated in § 301.45-3 (b) shall not be moved from the respective regulated area into or through any point outside thereof unless accompanied by a certificate or limited permit.

(b) *Movement from the generally infested area into the suppressive area.* Except as exempted by administrative instructions of the Chief of the Plant Pest Control Branch, or as provided in § 301.45-12, regulated articles designated in § 301.45-3 (b) shall not be moved from the generally infested area into or through the suppressive area, within the respective regulated area, unless accompanied by a certificate or limited permit.

(c) *Articles originating outside the regulated area.* No certificates or limited permits are required under paragraph (a) or (b) of this section for the movement of regulated articles designated in § 301.45-3 (b) (1) or (2) originating outside of the respective regulated area and moving within or through such regulated area when the point of origin is clearly indicated, when their identity has been maintained, and when the articles have been protected against infestation while in such regulated area, in a manner satisfactory to the inspector.

§ 301.45-5 *Certificates, limited permits and certificates of exemption—(a) Certification of regulated articles.* Certificates may be issued for the movement of the regulated articles designated in § 301.45-3 (b) under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

(4) When they have been grown, produced, processed, manufactured, stored or handled in such a manner that, in the judgment of the inspector, no infestation could be transmitted thereby.

(b) *Safeguards against reinfestation.* Subsequent to certification, as provided in paragraph (a) of this section, the regulated articles may be moved under this subpart only if they are loaded, handled, and shipped under such protection and safeguards against reinfestation as are required by the inspector.

(c) *Limited permits.* Limited permits may be issued by the inspector for the movement of noncertified regulated articles designated in § 301.45-3 (b) to specified destinations for limited handling, utilization, or processing. Persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Plant Pest Control Branch to maintain such safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of such articles and to the cleaning or treatment of aircraft, trucks, wagons, railway cars, boats, and other means of conveyance and containers used in the transportation of such articles as may be required by the inspector.

(d) *Cancellation of certificates, limited permits, and certificates of exemption.* Certificates, limited permits, and certificates of exemption issued under the regulations in this subpart may be withdrawn or canceled by the inspector and further certificates, limited permits, or certificates of exemption refused whenever, in his judgment, the further use thereof might result in the dissemination of infestation.

§ 301.45-6 *Marking.* Except as exempted by administrative instructions of the Chief of the Plant Pest Control Branch, or as provided in § 301.45-12, and except for means of conveyance, every container of articles designated in § 301.45-3 (b) the movement of which is subject to the regulations in this subpart or if there is no container, the articles themselves, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment, and shall have securely attached to the outside thereof a certificate or limited permit as required by § 301.45-4: *Provided*, That (a) in the case of less-than-carlot freight or express shipments a certificate or limited permit attached to one of the containers or articles and another certificate attached to the waybill will be sufficient, and in the case of carlot freight or express shipments, either in containers or in bulk, only a certificate or limited permit attached to the waybill is required and (b) in the case of shipments by road vehicle, the certificate or limited permit shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

§ 301.45-7 *Relieving restrictions of regulations.* (a) In relieving restrictions of the regulations in this subpart pursuant to the second proviso in § 301.45, the Chief of the Plant Pest Control Branch may, in administrative instructions, provide for the issuance of certificates of exemption covering premises in the regulated areas which have been inspected or treated in accordance with procedures approved by said Chief as adequate to assure that the movement of regulated

articles from such premises will not disseminate infestation and permit the movement of regulated articles designated in § 301.45-3 (b) (1) (i) through (iii) or (2) (i) directly from such premises without restriction under §§ 301.45-4, 301.45-6, and 301.45-8.

(b) Said Chief from time to time will notify the persons concerned as to the premises for which certificates of exemption are in effect under this section. The Chief may also, in administrative instructions, relieve restrictions of the regulations in such other manner and under such other conditions as he shall deem proper in accordance with § 301.45.

§ 301.45-8 *Assembly of regulated articles.* Except as exempted by administrative instructions of the Chief of the Plant Pest Control Branch, or as provided in § 301.45-12, persons intending to move any of the regulated articles designated in § 301.45-3 (b) shall make application for inspection as far in advance as possible and may be required to prepare and assemble materials at such points and times and in such manner as the inspector shall designate, so that thorough inspection may be made or approved treatments may be applied as required under the regulations in this subpart.

§ 301.45-9 *Inspection and disposition.* Any aircraft, truck, wagon, railway car, boat, or other means of conveyance, or container, which is moving interstate and which an inspector has probable cause to believe carries or contains any gypsy moth or brown-tail moth or other regulated article the movement of which is prohibited or restricted under this subpart, may be inspected by the inspector at any time or place. When regulated articles are found to be moving or to have been moved in violation of the provisions in this subpart, the inspector may seize, destroy, or otherwise dispose of such articles as he deems necessary to eliminate the danger of dissemination of the gypsy moth and the brown-tail moth. If found to be infested, such articles must be freed of infestation.

§ 301.45-10 *Treatment of means of conveyance and containers.* When in the judgment of the inspector a hazard of spread of the gypsy moth or brown-tail moth is presented, thorough cleaning or other treatment of aircraft, railway cars, trucks, wagons, boats, and other means of conveyance, and containers, may be required by the inspector before movement thereof from a regulated area, or from a generally infested area into or through a suppressive area.

§ 301.45-11 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the regulations in this subpart, other than for the services of the inspector.

§ 301.45-12 *Shipments for scientific purposes.* Live gypsy moths and brown-tail moths in any stage of development may be removed from any State or Territory into any other State or Territory or the District of Columbia or from said District into any State or Territory, and other articles subject to the requirements of the regulations in this subpart may be moved from a regulated area into or through any point outside thereof or from a generally infested area into or through a suppressive area, for experimental or other scientific purposes, on such conditions and under such safeguards as may be required by the Chief of the Plant Pest Control Branch. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Plant Pest Control Branch.

The foregoing quarantine and regulations shall be effective on and after July 20, 1956, on which date they shall supersede notice of quarantine No. 45 and supplemental regulations effective October 10, 1945, as amended effective August 30, 1948, and August 9, 1952 (7 CFR, and 1954 Supp., 301.45, 301.45-1 et seq.).

This amendment authorizes the Chief of the Plant Pest Control Branch to publish, from time to time, in administrative instructions a list of the minor civil divisions or parts thereof, in quarantined States, in which infestation of either the gypsy moth or brown-tail moth has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested districts, and to designate such civil divisions or parts thereof as a regulated area. Civil divisions or parts thereof so designated will, under the amendment, continue in a regulated status until the Chief of the Plant Pest Control Branch has determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the infestation therein and that regulation of such area is not otherwise necessary for quarantine enforcement purposes, and has issued administrative instructions revoking the designation of such civil divisions or parts thereof as a regulated area. The amendment also authorizes the Chief

to divide the regulated area into a generally infested area and a suppressive area wherein measures to eradicate infestation are being conducted.

The amendment further authorizes the Chief to provide for the issuance of certificates of exemption for premises which have been inspected or treated in accordance with approved procedures and permit the movement of regulated articles from such premises without compliance with restrictions otherwise applicable.

The amendment also makes the provisions of these regulations conform as closely as possible in phraseology with similar domestic plant quarantine regulations and makes numerous clarifying changes.

In order to be of maximum protection to the public the foregoing quarantine and regulations should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) good cause is found for making them effective less than 30 days after publication in the Federal Register.

NOTE: Under the Plant Quarantine Act of August 20, 1912, as amended, the movement of regulated articles except as permitted by the foregoing quarantine and regulations is a misdemeanor punishable by a fine not exceeding \$500 or imprisonment not exceeding one year, or both. Under the Insect Pest Act of March 3, 1905, the removal of live gypsy or brown-tail moths except as permitted in the regulations is a felony punishable by a fine of not more than \$5,000 or imprisonment for not more than 5 years, or both.

Done at Washington, D. C., this 25th day of June 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, July 2, 1956, 8:49 a. m.; 21 F. R. 4906.]

[Copies of the foregoing amendment and the two following administrative instructions were sent to all common carriers doing business in or through the affected States; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above amendment and the two following administrative instructions was published in the following newspapers: The Hartford Courant, Hartford, Conn., July 12, 1956; the Bangor Daily News, Bangor, Maine, July 12, 1956; the Boston Post, Boston, Mass., July 12, 1956; the Manchester Union-Leader, Manchester, N. H., July 11, 1956; the Times-Union, Albany, N. Y., July 12, 1956; the Providence Evening Bulletin, Providence, R. I., July 12, 1956; and the Burlington Daily News, Burlington, Vt., July 12, 1956.]

P. P. C. 617

Effective July 20, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—GYPSY MOTH AND BROWN-TAIL MOTH

ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

On May 4, 1956, there was published in the Federal Register (21 F. R. 2990) a notice of proposed rule making concerning the issuance of administrative instructions designating regulated areas in conformity with § 301.45-2 of amended gypsy moth and brown-tail moth quarantine regulations (7 CFR 301.45-2, *supra*). After due consideration of all matters presented, and pursuant to the said § 301.45-2, under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), the Chief of the Plant Pest Control Branch hereby issues such administrative instructions to appear in 7 CFR 301.45-2a as follows:

§ 301.45-2a *Administrative instructions designating regulated areas under the gypsy moth and brown-tail moth quarantine and regulations.* Infestations of either the gypsy moth or the brown-tail moth have been determined to exist, in the quarantined States, in the respective counties, cities, towns, plantations, and other civil divisions, and parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such civil divisions and parts thereof because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Accordingly, such civil divisions and parts thereof are hereby designated, as follows, respectively, as a single, continuous gypsy moth

regulated area and a single, continuous brown-tail moth regulated area within the meaning of the provisions in this subpart:

GYPSE MOTH REGULATED AREA

Connecticut. All counties in the State.

Maine. Counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, and York; towns of Avon, Berlin, Carthage, Chesterville, Crockertown, Dallas Plantation, Farmington, Freeman, Greenvale, Industry, Jay, Jerusalem, Kingfield, Madrid, Mount Abraham, New Sharon, New Vineyard, Perkins, Phillips, Rangeley Plantation, Redington, Salem, Sandy River Plantation, Strong, Temple, Washington, Weld, and Wilton, and Townships D and E, in Franklin County; all of Hancock County except Plantations 3, 4, 35, and 41; all that part of Oxford County south and southeast of, and including, the towns of Magalloway and Richardsontown; towns of Alton, Argyle, Bradford Bradley, Carmel, Charleston, Clifton, Corinna, Corinth, Dexter, Dixmont, Eddington, Etna, Exeter, Garland, Glenburn, Grand Falls Plantation, Greenbush, Greenfield, Hampden, Hermon, Holden, Hudson, Kenduskeag, LaGrange, Levant, Milford, Newburgh, Newport, Orono, Orrington, Plymouth, Stetson, Summit, and Veazie, and cities of Bangor, Brewer, and Old Town, in Penobscot County; towns of Abbott, Atkinson, Dover-Foxcroft, Guilford, Kingsbury Plantation, Medford, Milo, Orneville, Parkman, Sangerville, Sebec, and Wellington, in Piscataquis County; all that part of Somerset County south and southeast of, and including, Highland and Pleasant Ridge Plantations, town of Moscow, and Mayfield Plantation; towns of Beddington, Cherryfield, Columbia, Deblois, Harrington, Millbridge, and Steuben, and Plantations 16 and 24, in Washington County.

Massachusetts. All counties in the State.

New Hampshire. Counties of Belknap, Carroll, Cheshire, Grafton, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; all that part of Coos County lying south of, and including, the towns of Strafford, Odell, Dummer, and Cambridge.

New York. Counties of Albany, Clinton, Columbia, Delaware, Dutchess, Fulton, Greene, Montgomery, Nassau, Orange, Otsego, Putnam, Rensselaer, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, and Westchester; towns of Chesterfield, Crown Point, Elizabethtown, Essex, Jay, Keene, Lewis, Moriah, North Hudson, Schroon, Ticonderoga, Westport, Willsboro, and Wilmington, in Essex County; towns of Benson, Hope, and Wells in Hamilton County; all of Herkimer County except the towns of Ohio, Russia, and Webb; town of Brookfield in Madison County; towns of Bridgewater, Deerfield, Kirkland, Marcy, Marshall, New Hartford, Paris, Sangerfield, Utica, Westmoreland, and Whitestown, in Oneida County.

Rhode Island. All counties in the State.

Vermont. Counties of Addison, Bennington, Chittenden, Grand Isle, Orange, Rutland, Washington, Windham, and Windsor; towns of Barnet, Danville, Groton, Kirby, Peacham, Ryegate, St. Johnsbury, and Waterford, in Caledonia County; towns of Concord, Granby, Guildhall, Lunenburg, Maidstone, and Victory, in Essex County; all of Franklin County except the towns of Bakersfield, Berkshire, Enosburg, Montgomery, and Richford; and the town of Elmore in Lamoille County.

BROWN-TAIL MOTH REGULATED AREA

All of the above described gypsy moth regulated area, exclusive of that in the State of New York, constitutes the brown-tail moth regulated area.

These administrative instructions shall become effective July 20, 1956.

These instructions list the localities that are regulated under a revision of the gypsy moth and brown-tail moth notice of quarantine and supplemental regulations. The former gypsy moth generally infested area and gypsy moth suppressive area are combined into a single, continuous regulated area. The instructions also include in that regulated area for the first time a number of additional civil divisions in Connecticut, Maine, New York and Vermont. Further, they redefine and enlarge the area regulated because of the brown-tail moth.

Both the revised notice of quarantine and supplemental regulations and these instructions must be made concurrently effective in order to carry out the purposes thereof. The quarantine and regulations are to become effective less than 30 days after the publication hereof in the Federal Register. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), good cause is found for making the effective date of the instructions less than 30 days after publication in the Federal Register.

(Secs. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162)

Done at Washington, D. C., this 27th day of June 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, July 2, 1956, 8:49 a. m.; 21 F. R. 4909.]

P. P. C. 386, Second Revision

Effective July 20, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—GYPSY MOTH AND BROWN-TAIL MOTH

REVISED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS

On May 4, 1956, there was published in the Federal Register (21 F. R. 2989) a notice of proposed rule making concerning an amendment of administrative instructions exempting certain articles from requirements of the regulations supplemental to the gypsy moth and brown-tail moth quarantine (7 CFR, 1954 Supp., 301.45a, B. E. P. Q. 386, revised). After due consideration of all matters presented, and pursuant to the authority conferred on him by the second proviso of the gypsy moth and brown-tail moth quarantine (Notice of Quarantine No. 45, 7 CFR 301.45, supra) and by § 301.45-7 (a) of the regulations supplemental to said quarantine (7 CFR 301.45-7 (a), supra), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), the Chief of the Plant Pest Control Branch hereby issues such amended administrative instructions to read as follows:

§ 301.45a *Administrative instructions exempting certain articles from requirements of regulations.* (a) The Chief of the Plant Pest Control Branch has found that facts exist as to the pest risk involved in the movement of the following regulated articles making it safe to modify, by making less stringent, the requirements of the regulations supplemental to the gypsy moth and brown-tail moth quarantine as follows. The movement of the following articles, when meeting the conditions specified, is hereby exempted from the requirements of §§ 301.45-4, 301.45-6 and 301.45-8 of the regulations supplemental to the gypsy moth and brown-tail moth quarantine with respect to both the gypsy moth regulated area and the brown-tail moth regulated area, insofar as such requirements apply to such areas.

(1) *Timber products.* (i) Manufactured wood products such as box shooks, shingles, laths, flooring, furniture, containers, crates, handles, dowels, staves, and new industrial shoring and blocking, if they have not been exposed to infestation.

(ii) Lumber that has been (a) dressed four sides with ends clipped, or (b) square edged sawed four sides with ends clipped, and freed from surface bark, or (c) kiln dried; when such lumber is shipped direct after processing from planer, log saw or kiln; and when waybills or other transportation papers are marked to show that the lumber was so processed and is being so shipped: *Provided, however,* That this exemption does not apply to piled or stuck lumber.

(iii) Shavings, sawdust, wood flour, excelsior, and cedar bedding.

(iv) Wood and bark novelties, when waxed, polished or otherwise treated.

(2) *Woody plants and plant parts.* (i) Plants of the following kinds (and parts thereof):

Clubmoss ("ground pine") (*Lycopodium* spp.).
Partridgeberry (*Mitchella repens*).
Trailing arbutus (*Epigaea repens*).
Wintergreen (*Gaultheria procumbens*, *Pyrola* spp.).

(ii) Plants and parts thereof that have been grown in the greenhouse throughout the year, when so labeled on the outside of each container.

(iii) Herbarium specimens, when dried and pressed, and when so labeled on outside of each container.

(iv) Leaves of deciduous or evergreen trees that have been treated or dyed, when so labeled on outside of each container.

(v) Seeds, fruits, and cones.

(vi) Cuttings:

Acacia (*Acacia* spp.).
Boxwood (*Buxus sempervirens*).
California pepper tree (*Schinus molle*).
Eucalyptus (*Eucalyptus globulus*).
Evergreen smilax (*Smilax lanceolata*).
Galax (*Galax aphylla*).
Heather, (*Erica* spp., *Calluna* spp.).

Mistletoe (*Phoradendron flavescens*, *Viscum album*, etc.).
Western red cedar (*Thuja plicata*).
Oregon holly (*Ilex aquifolium*).
Oregon huckleberry (*Vaccinium ovatum*).
Salal (known to the trade as lemon cuttings) (*Gaultheria shallon*).

(vii) Scions.

(viii) Tip cuttings of deciduous plants without leaves or blossoms, or tip cuttings of evergreen plants, when not more than 12 inches in length, and articles constructed of such tip cuttings, such as wreaths, sprays, and roping.

(3) *Stone and quarry products.* (i) Stone and quarry products when processed by crushing, grinding, or pulverizing.

(ii) Feldspar, granite, marble, quartz, or slate moving from premises covered by a certificate of exemption issued under paragraph (b) of this section and originating on premises covered by such a certificate or from other sources approved in advance by an inspector.

(4) *Pulpwood.* Pulpwood moving from a regulated area to a nearby pulp mill in a contiguous nonregulated area, or from a generally infested area to a nearby pulp mill in a contiguous suppressive area, if such mill has entered into a written agreement with the Plant Pest Control Branch to apply such treatments and to maintain such sanitation safeguards as will, in the judgment of the inspector, prevent the establishment of gypsy moth infestation on or surrounding the mill premises; and if such mill has been approved by the Chief of the Plant Pest Control Branch to receive such pulpwood.

(b) A certificate of exemption will be issued by an inspector for any premises in the gypsy moth regulated area which have been inspected or treated in accordance with procedures approved by the Chief of the Plant Pest Control Branch as adequate to assure that movement from such premises of regulated articles will not disseminate infestation, if the person in possession of such premises agrees in writing (1) that he will move regulated articles under the certificate of exemption pursuant to paragraph (a) (3) (ii) of this section only from such premises and only if the articles originate on premises certified under this paragraph or from other sources approved in advance by the inspector and (2) that no regulated articles of the kinds specified in paragraph (a) (3) (ii) of this section will be brought to his certified premises except from other premises certified under this paragraph or from such other sources as are approved in advance by the inspector.

These amended administrative instructions shall become effective July 20, 1956, on which date they shall supersede B. E. P. Q. 386, as revised effective November 5, 1951 (7 CFR, 1954 Supp., 301.45a).

These instructions exempt the movement of pulpwood, under specified conditions, from certain requirements of the regulations supplemental to the gypsy moth and brown-tail moth quarantine and make various modifications in the exemptions previously provided for various articles by changing some of the conditions of exemption and more specifically identifying certain exempted articles. Exemption is provided for treated or dyed leaves of evergreen trees, when properly labeled. The previous exemptions for excelsior waste and mica have been eliminated.

Provisions are made in the amended instructions for the issuance of certificates of exemption for inspected or treated premises and for the movement of certain stone and quarry products from such premises without compliance with restrictions otherwise applicable.

Primarily the instructions relieve restrictions and to this extent are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the Federal Register. Insofar as the instructions impose stricter requirements they should be made effective promptly to prevent the spread of the gypsy moth and the brown-tail moth and good cause is found under section 4 of the Administrative Procedure Act for making them effective less than 30 days after their publication in the Federal Register.

(Secs. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162.)

Done at Washington, D. C., this 27th day of June 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, July 2, 1956, 8:49 a. m.; 21 F. R. 4908.]

ANNOUNCEMENTS RELATING TO KHAPRA BEETLE QUARANTINE (NO. 76)

P. P. C. 612, Third Revision

Effective September 4, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—KHAPRA BEETLE

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING PREMISES AS REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2, 20 F. R. 1012) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), revised administrative instructions are hereby issued as follows, listing warehouses, mills, and other premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a *Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.* Infestations of the khapra beetle have been determined to exist in the warehouses, mills, and other premises listed below. Accordingly, such warehouses, mills, and other premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

ARIZONA

Acme Bag & Burlap Co., 3200 South Seventh Street, Phoenix.
 Advance Seed & Grain Company, 310 South 24th Avenue, Phoenix.
 Allen Ranch, Route 5, Box 528, Tucson.
 Amado's Consumers Appliance & Fritz's Meats, 4734 East Speedway, Tucson.
 Arizona Grain Storage Co., 100 South Nevada, Chandler.
 Arizona Stock Farms, Inc., Arlington.
 Arlington Cattle Co. (warehouse and mill), Highway 80, Arlington.
 Attaway Ranch Market, Box 59, Coolidge.
 Annie Black Chicken Yard, 225 West Pastime Road, Tucson.
 Box O Ranch, P. O. Box 424, Coolidge.
 Claude Brown Farm, Box 1783, Parker (12 miles southeast of Parker on east side of Parker-Poston Road).
 Ronald Bruce town residence, P. O. Box 43, Parker.
 C-Bar-B Ranch, Bouse (31 miles northeast of Bouse).
 Clark Ranch, Box 1327, Coolidge.
 Colorado River Trading Company, Parker (six and three-fourth miles southwest of Parker).
 Delinting & Seed Treating Co., 3100 South Seventh Street, Phoenix.
 Eliloc Farm, Route 4, Box 182, Phoenix.
 C. H. Espy (town property), 1089 B Avenue, Yuma.
 O. B. Francis Farm, P. O. Box 1551, Parker (seven and one-half miles southwest of Parker).
 A. R. Hunter Poultry Farm, Route 2, Box 405, Tempe.
 International Market (Jimmy Ng), 106 Main Street, Somerton.
 Fran Kornegay Farm (storage bins), 10th Street and Avenue D, Yuma.
 Long Brothers Hog Feed Yard, Buckeye.
 Ray Luster Farm, Box 246, Pima.
 McElhaney Cattle Company, cattle feed lot, 44 North Central Avenue, located 1 mile south and 1½ miles east of Tempe, on East Broadway, Phoenix.
 Mile Hi Hatchery, P. O. Box 1711, Prescott.
 J. H. Munsey town residence, P. O. Box 192, Parker.
 W. J. Muse Ranch, Box 1836, Parker.
 Myers Feed & Seed, 367 West Coolidge Avenue, Coolidge.
 Tom Neilsen Dairy, Route 1, Box 98, Tolleson.
 Norton's Used Furniture, 25 East Southern Avenue, Phoenix.
 Pablo Franco Ranch, 1764 Avenue B, Yuma.
 Lou Park's Ranch, Casa Grande.
 Peterson's Feed & Supply, 940 North Stone Avenue, Tucson.
 Quick Seed & Feed, 2101 Grand Avenue, Phoenix.
 Ranchers Feed & Supply, 264 South Scottsdale Road, Scottsdale.
 Shamrock Hill Farm, P. O. Box 5524, Tucson.
 Milton P. Smith Ranch, Route 1, Maricopa.
 Stribling Egg Ranch, 936 Mountainview Road, Sunnyslope.
 J. A. Tabor town residence, P. O. Box 1965, Parker.
 R. H. Thompson residence property, P. O. Box 1836, Parker.
 Tiemann Feed & Supply Co., 2001 North Stone Avenue, Tucson.
 TK Bar Ranch, Kirkland.
 Tovrea Land & Cattle Co., 5001 East Washington, Phoenix.
 Wilmer Trussel Farm, General Delivery, Wellton.
 Valley Feed & Seed, 1918 West Van Buren, Phoenix.
 Valley Hay Market, 334 West Prince Road, Tucson.
 Joe Wiehl Farm, Route 1, Box 127, Gilbert.

CALIFORNIA

Anderson Cattle Co., located at north side of Highway 98, three-quarter mile west of Highway 99. Mail address P. O. Box 1105, Calexico.

Frank Augusta Ranch, Route 2, Box 25, Brawley.

I. V. Bag Company (Nick Robolino, owner), located East A and Road 46, 304 North Ninth Street, Brawley. Mail address P. O. Box 1313, Brawley.

John Binnell (chicken ranch), 1607 South Cucamonga Avenue, Ontario.

Hershel Brady Ranch, 1531 East A Street, Brawley.

Brandt Bros. Feed Yard, 563 Main Street, located at County Roads 70 and West C, Brawley.

Fred Brown property, located southwest corner of intersection of Highway 111 and County Road 79. Mail address P. O. Box 11, Calipatria.

C. H. Burns Ranch, located two miles northeast of Shafter at southwest corner of Mettler and Merced Avenue. Mail address Route 1, Box 12, Shafter.

Alice G. Byrne, Route 1, Box 133, Oroville.

Louis Carano Ranch, east of Southern Pacific Railroad tracks at intersection of County Roads East B and No. 8, 1 mile south of Heber.

Coachella Valley Feed Yard, east side of Highway 111, south of Avenue 54. Mail address Box 226, Thermal.

J. E. Conrad Ranch, 18782 Livermore Street, Reedley.

Hogan Dillinger Ranch, Route 2, Box 217, Brawley.

T. L. Figueroa Ranch, Route 2, Box 159, Heber.

Harry Finney Ranch, Somerset Road SW¼ of sec. 24, T. 10 N., R. 3 W., near Hinkley.

Bud Frye Ranch, 72155 Frankwood (2 miles north of Reedley), Reedley.

Ernest Furrer Ranch, northeast corner of intersection of county roads West J and 18, El Centro.

F. J. Hauseur & Sons Feed Lot, located 2 miles south of Orita, 1½ miles east on Oxalis Canal, Brawley.

K. H. Henderson property, Route 1, Box 65, Brawley.

Ray J. Hovely Ranch, Old Calipatria Highway, 2½ miles north of Brawley, Brawley.

C. C. Huff Farm, Route 2, Box 46, Imperial.

Jay Farms (John Ohanneson, owner), located at Wasco and Wildwood Avenue, T. 26 S., R. 23 E., sec. 36. Mail address 422 James Street, Shafter.

Johnson & Drysdale Cattle Co., Route 1, Box 143, Calexico.

A. H. Karp Greenfield Ranch, Box 187, Station A, Bakersfield.

Eugene B. Kinnaird Ranch, on Magnolia Avenue, one mile east of Highway 115. Mail address P. O. Box 681, Holtville.

Henry Kirchner Dairy, on west side of County Road East B, one-fourth mile north of County Road 28, El Centro.

C. E. Kline Ranch, Route 2, Box 282, El Centro.

Joseph Labandera property, located one-fourth mile south of Elkhorn on Westlawn, east side of street. Mail address Box 1B6, Burrell.

Marshall Seed & Feed Co., 126 South Sixth, El Centro.

Milham Farms, Blue Moon Ranch, Lerdo Road, Buttonwillow.

Vernon G. Monte Feed Lot, Route 1, Box 120, Brawley.

Henry Munger Feed Lot, 299 Main Street, El Centro.

Niland Food Market (store), west side of 200 block, east side of Highway 111, Niland.

K. Omlin Ranch, Route 1, Box 60, Calexico.

George L. Pulliam (owner) Ranch, Route 1, Box 116A, Calexico.

Philip E. Ramirez (tenant dealer) property (Florena D. Baca, owner), 1151 N. C. Perry Avenue, mail address Route 1, Box 96A, Calexico.

Raleigh Roberts Farm, Route 5, Box 2405, Oroville.

Oscar Rudnick property (Soldier Wells Camp), located near junction of Highways 178 and 6, vicinity of Freeman. Mail address P. O. Box 548, Bakersfield.

San Pasqual Land & Cattle Co. property, northwest corner County Roads No. 53 and West E, Westmoreland. Mail address 316 Main Street, Brawley.

Marie L. Scheniman property (Scheniman Stables), located at 362 Ross Avenue. Mail address P. O. Box 520, El Centro.

Snyder's Termite Control, 4428 Magnolia Avenue, Riverside.

Starkey Bros. Dairy, Imperial.

Mrs. Nola Strickland Ranch, Route 1, Box 90, Holtville.

Clayton Taylor Farm, Route 1, Box 24½, El Centro.

Topper Feed Mills, 808 G Street, Fresno.

D & A Wittenberg Ranch, located south side of Tulare Avenue, one-half mile west of Scaroni Avenue, 3 miles west of Shafter, Route 1, Box 238, Shafter.

Wright Feed Yards, Seeley.

William Youtsler Ranch, intersection of West J and Road 58, Route 1, Brawley.

NEW MEXICO

Elgin E. Fowler Farm, Route 1, Floyd.

This revision combines into a single list the warehouses, mills, and other premises that were designated as khapra beetle regulated areas in revised administrative instructions issued as 7 CFR 301.76-2a (20 F. R. 9899), effective December 23, 1955, as amended effective January 26, 1956, March 14, 1956, April 17, 1956, May 9, 1956, June 7, 1956, July 5, 1956, and August 11, 1956 (21 F. R. 573, 1575, 2463, 3073, 3897, 4943, 5997).

By omitting from the list 4 establishments in Arizona and 19 establishments in California, the revision revokes the designation of these establishments as regulated areas and deletes them from the list. The revision also adds to the list 6 establishments in Arizona and 1 establishment in California, thereby designating them as regulated areas.

This revision shall be effective September 4, 1956, and on that date shall supersede revised administrative instructions effective December 23, 1955, and amendments thereof effective January 26, 1956, March 14, 1956, April 17, 1956, May 9, 1956, June 7, 1956, July 5, 1956, and August 11, 1956 (20 F. R. 9899; 21 F. R. 573, 1575, 2463, 3073, 3897, 4943, 5997).

These instructions supplement khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to permit unrestricted movement of regulated products from the premises being removed from designation as regulated areas. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 30th day of August 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, September 4, 1956, 8:50 a. m.; 21 F. R. 6634.]

[Copies of the foregoing revision were sent to all common carriers doing business in or through the affected States.]

[A notice to the general public concerning the above revision was published in the following newspapers: The Arizona Republic and Gazette, Phoenix, Ariz., September 5, 1956; the Sacramento Bee, Sacramento, Calif., September 5, 1956, and the Journal, Albuquerque, N. Mex., September 6, 1956.]

Prior to the issuance of the above Third Revision, there were also issued, during 1956, supplements to the Second Revision as follows:

Supplement 1, published in the Federal Register and effective January 26, 1956 [21 F. R. 573].

Supplement 2, published in the Federal Register and effective March 14, 1956 [21 F. R. 1575].

Supplement 3, published in the Federal Register and effective April 17, 1956 [21 F. R. 2463].

Supplement 4, published in the Federal Register and effective May 9, 1956 [21 F. R. 3073].

Supplement 5, published in the Federal Register and effective June 7, 1956 [21 F. R. 3897].

Supplement 6, published in the Federal Register and effective July 5, 1956 [21 F. R. 4943].

Supplement 7, published in the Federal Register and effective August 11, 1956 [21 F. R. 5997].

Supplement 1 to the above Third Revision was published in the Federal Register and effective October 25, 1956 [21 F. R. 8179].

Copies of each of the supplements mentioned were sent to all common carriers doing business in or through the affected States. Also, appropriate notices to the general public concerning it were published in selected newspapers in the State involved.

P. P. C. 612, Fourth Revision

Effective November 27, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—KHAPRA BEETLE

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING PREMISES AS REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2, 20 F. R. 1012) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), revised administrative

instructions are hereby issued as follows, listing warehouses, mills, and other premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a *Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.* Infestations of the khapra beetle have been determined to exist in the warehouses, mills, and other premises listed in paragraphs (a) and (b) of this section. Accordingly, such warehouses, mills, and other premises are hereby designated as regulated area within the meaning of the provisions in this subpart:

ARIZONA

Arlington Cattle Co. (warehouse and mill), Highway 80, Arlington.
 Attaway Ranch Market, Box 59, Coolidge.
 Box O Ranch, P. O. Box 424, Coolidge.
 Claude Brown Farm, Box 1783, Parker (12 miles southeast of Parker on east side of Parker-Poston Road).
 Ronald Bruce town residence, P. O. Box 43, Parker.
 Joe Carlos Market, Box 576, Sonora.
 C-Bar-B Ranch, Bouse (31 miles northeast of Bouse).
 Clark Ranch, Box 1327, Coolidge.
 C. H. Espy (town property), 1089 B Avenue, Yuma.
 O. B. Francis Farm, P. O. Box 1551, Parker (7½ miles southwest of Parker).
 D. K. Frost Stable, Route 2, Box 129, Scottsdale.
 A. R. Hunter Poultry Farm, Route 2, Box 405, Tempe.
 International Market (Jimmy Ng), 106 Main Street, Somerton.
 Ray Luster Farm, Box 246, Pima.
 Mile Hi Hatchery, P. O. Box 1711, Prescott.
 Miller Ranch, Starr Route, Mammoth.
 Miller Ranch Dry Camp No. 1, General Delivery, Mammoth.
 Miller Ranch No. 2 (Holy Joe Camp), General Delivery, Mammoth.
 Miller Ranch, Holy Joe Camp No. 3, General Delivery, Mammoth.
 Miller Ranch Camp No. 4 (Absie or Haunted Corral Camp), General Delivery, Mammoth.
 J. H. Munsey town residence, P. O. Box 192, Parker.
 W. J. Muse Ranch, Box 1836, Parker.
 Myers Feed & Seed, 367 West Coolidge Avenue, Coolidge.
 Tom Neilsen Dairy, Route 1, Box 98, Tolleson.
 Pablo Franco Ranch, 1764 Avenue B, Yuma.
 Lou Park's Ranch, Casa Grande.
 Quick Seed & Feed, 2101 Grand Avenue, Phoenix.
 Ranchers Feed & Supply, 264 South Scottsdale Road, Scottsdale.
 Sherrill-LaFollette Fairview Farm, Box 105, Roll.
 Milton P. Smith Ranch, Route 1, Maricopa.
 Snyder Ranch, Box 31, Tacna.
 Stribling Egg Ranch, 936 Mountainview Road, Sunnyslope.
 J. A. Tabor town residence, P. O. Box 1965, Parker.
 R. H. Thompson residence property, P. O. Box 1836, Parker.
 TK Bar Ranch, Kirkland.
 Tortilla Ranch, located 7½ miles east and 2½ miles south of Apache Trail, Tortilla Flats.
 Wilmer Trussel Farm, General Delivery, Wellton.
 Vita-Gro Feed Mill, Mesa.
 Joe Wiehl Farm, Route 1, Box 127, Gilbert.
 Wingfield Ranch, Arlington.

CALIFORNIA

Frank Augusta Ranch, Route 2, Box 25, Brawley.
 I. V. Bag Company (Nick Robolino, owner), located East A and Road 46, 304 North Ninth Street, Brawley. Mail address P. O. Box 1313, Brawley.
 John Binnell (chicken ranch), 1607 South Cucamonga Avenue, Ontario.
 Brandt Bros. Feed Yard, 563 Main Street, located at County Roads 70 and West C, Brawley.
 C. H. Burns Ranch, located 2 miles northeast of Shafter at southwest corner of Mettler and Merced Avenue. Mail address Route 1, Box 12, Shafter.
 J. E. Conrad Ranch, 18782 Livermore Street, Reedley.
 Desert Grain and Milling Co., Westmoreland.
 T. L. Figueroa Ranch, Route 2, Box 159, Heber.
 Harry Finney Ranch, Somerset Road, SW¼ of sec. 24, T. 10 N., R. 3 W., near Hinkley.
 Bud Frye Ranch, 72155 Frankwood (2 miles north of Reedley), Reedley.
 Ernest Furrer Ranch, northeast corner of intersection of county roads West J and 18, El Centro.
 F. J. Hausseur & Sons Feed Lot, located 2 miles south of Orita, 1½ miles east of Oxalis Canal, Brawley.
 C. C. Huff Farm, Route 2, Box 46, Imperial.
 Eugene B. Kinnaird Ranch, on Magnolia Avenue, 1 mile east of Highway 115. Mail address, P. O. Box 681, Holtville.
 C. E. Kline Ranch, Route 2, Box 282, El Centro.
 Joseph Labandera property, located one-fourth mile south of Elkhorn on Westlawn, east side of street. Mail address Box 1B6, Burrel.
 Marshall Seed & Feed Co., 126 South Sixth, El Centro.
 Henry Munger Feed Lot, 299 Main Street, El Centro.
 Niland Food Market (store), west side of 200 block, east side of Highway 111, Niland.
 George L. Pulliam (owner) Ranch, Route 1, Box 116A, Calexico.
 Raleigh Roberts Farm, Route 5, Box 2405, Oroville.

San Pasqual Land & Cattle Co. property, northwest corner County Roads No. 53 and West E, Westmoreland. Mail address 316 Main Street, Brawley.
 Marie L. Scheniman property (Scheniman Stables), located at 362 Ross Avenue. Mail address P. O. Box 520, El Centro.
 Ed Seigel property, located at Avenue 256, Sec. 19, T. 19 S., R. 27 E., M. D. B. & M. Mail address Box 772, Lindsay.
 R. M. Slaton property, Route 3, Box 97, Holtville.
 Snyder's Termite Control, 4428 Magnolia Avenue, Riverside.
 Clayton Taylor Farm, Route 1, Box 24½, El Centro.
 Union Development Co., Warehouse, located approximately 100 yards south of intersection of County Roads No. 86 and West A, Niland.
 Wright Feed Yards, Seeley.

NEW MEXICO

Elgin E. Fowler Farm, Route 1, Floyd.

(b) The portion of each of the following premises in which live khapra beetles were found has received the approved fumigation treatment, but these premises must continue under frequent observation and inspection for a period of one year following fumigation before a determination can be made as to the adequacy of such treatment to eradicate the khapra beetle in and upon such premises. During this period regulated articles may be moved from the premises only in accordance with the regulations in this subpart.

ARIZONA

Acme Bag & Burlap Co., 3200 South Seventh Street, Phoenix.
 Advance Seed & Grain Company, 310 South 24th Avenue, Phoenix.
 Delinting & Seed Treating Co., 3100 South Seventh Street, Phoenix.
 Valley Feed & Seed, 1918 West Van Buren, Phoenix.

CALIFORNIA

Louis Carano Ranch, east of Southern Pacific Railroad tracks at intersection of County Roads East B and No. 8, 1 mile south of Heber.
 A. H. Karpe Greenfield Ranch, Box 187, Station A, Bakersfield.
 Milham Farms, Blue Moon Ranch, Lerdo Road, Buttonwillow.

This revision specifies in one document the warehouses, mills and other premises that were designated as khapra beetle regulated areas in revised administrative instructions issued as 7 CFR 301.76-2a (21 F. R. 6634), effective September 4, 1956, as amended, effective October 25, 1956 (21 F. R. 8179), and that are still in that status.

By omitting from the list 3 premises in Arizona and 8 premises in California, the revision revokes the designation of these premises as regulated areas. The revision also adds to the list 4 premises in Arizona and 3 premises in California, thereby designating them as regulated areas.

As an informative item, the revision also segregates 3 regulated premises in California and 4 regulated premises in Arizona where the approved fumigation treatment has been applied to the portions of the premises in which live khapra beetles were found and which are consequently in a somewhat different category than untreated premises.

This revision shall be effective November 27, 1956, and on that date shall supersede revised administrative instructions effective September 4, 1956, as amended effective October 25, 1956 (21 F. R. 6634, 8179).

These instructions supplement khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to permit unrestricted movement of regulated products from the premises being removed from designation as regulated areas. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318, 7 U. S. C. 162; 7 CFR 301.76-2. Interprets or applies sec. 8, 37 Stat. 318, as amended, 7 U. S. C. 161)

Done at Washington, D. C., this 20th day of November 1956.

[SEAL]

D. R. SHEPHERD,

Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, November 26, 1956, 8:47 a. m.; 21 F. R. 9199.]

[Copies of the foregoing revision were sent to all common carriers doing business in or through the affected States.]

[A notice to the general public concerning the above revision was published in the following newspapers: The Arizona Republic, Phoenix, Ariz., November 30, 1956; and the Sacramento Bee, Sacramento, Calif., November 30, 1956.]

Supplement 1 to the above Fourth Revision was published in the Federal Register and effective December 13, 1956 [21 F. R. 9936]. Copies of Supplement 1 were sent to all common carriers doing business in or through the affected States. Also, appropriate notice to the general public concerning it were published in selected newspapers in the States involved.

ANNOUNCEMENTS RELATING TO MEDITERRANEAN FRUIT FLY QUARANTINE (NO. 78)

HEARING ON PROPOSED MEDITERRANEAN FRUIT FLY QUARANTINE IN WASHINGTON MAY 9

(Press Notice)

APRIL 27, 1956.

A public hearing at which interested persons may appear and express their views on a proposal to quarantine the State of Florida because of the occurrence there (Press Release USDA 1202-56) of the Mediterranean fruit fly, will be held in Washington, D. C., on May 9, the U. S. Department of Agriculture announced today.

The hearing begins at 10 a. m. in Jefferson Auditorium, South Building, U. S. Department of Agriculture, 14th Street and Independence Avenue, Washington.

A tentative quarantine order and regulations that might be adopted, should the public hearing and other considerations determine such action warranted, will be published in the Federal Register May 1.

The order to be submitted for public review contemplates quarantining the State of Florida. Supplementary regulations would restrict or prohibit interstate movement from actually infested or immediately threatened areas of fruits, vegetables, and other carriers of the fly. The proposed regulations also would provide methods whereby host material may be treated or otherwise made eligible for movement from regulated areas.

A Federal Mediterranean fruit fly quarantine regulating the movement of fruits and vegetables from Hawaii to the United States mainland has been operative since 1914. During that period various means of treating products subject to infestation have been developed. Fumigation by either ethylene dibromide or methyl bromide may be used as a basis for certifying certain types of fruits and vegetables. A vapor-heat treatment may be used to treat other designated products. Quick freezing or any equivalent freezing method is acceptable for any regulated product. In addition, fruits and vegetables that do not involve risk of spreading the fly may move from Hawaii to the mainland on the basis of inspection and certification. The Department is cooperating to the fullest possible extent with the Florida Plant Board in surveys to establish limits of the infested area and in carrying out measures designed to prevent further spread.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

[7 CFR PART 301]

DOMESTIC QUARANTINE NOTICES

NOTICE OF PUBLIC HEARING ON QUARANTINING FLORIDA ON AC- COUNT OF MEDITERRANEAN FRUIT FLY AND NOTICE OF PROPOSED RULE MAKING RELATING TO SUCH QUARANTINE AND SUPPLE- MENTAL REGULATIONS

The Administrator of the Agricultural Research Service has information that an incipient infestation of the Mediterranean fruit fly (*Ceratitis capitata* Wied.), a dangerous insect not heretofore widely prevalent or distributed within and throughout the United States, has recently been discovered in a localized area of Dade County, Florida.

It is therefore proposed under the authority of said section 8 of the Plant Quarantine Act to quarantine the State of Florida, and to restrict or prohibit the

movement from said State, or from any locations therein designated as regulated, of (a) live Mediterranean fruit flies; (b) fruits and vegetables, and other garden and orchard products of all kinds, and cotton bolls and seed cotton; (c) sand, soil, earth, peat, compost, and manure; and (d) other products and articles that present a hazard of spread of the Mediterranean fruit fly, as is hereinafter more specifically stated.

Notice is hereby given in accordance with section 8 of the Plant Quarantine Act of August 20, 1912, as amended (37 Stat. 318, as amended; 7 U. S. C. 161), that a public hearing will be held before a representative of the Agricultural Research Service in the Jefferson Auditorium of the South Building, U. S. Department of Agriculture, Fourteenth Street and Independence Avenue, Washington, D. C., at 10 a. m., May 9, 1956, at which hearing any interested person may appear and be heard, either in person or by attorney, on the proposals.

Notice is hereby given under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) that if it is determined, after hearing, that the State of Florida should be quarantined as proposed, the Administrator of the Agricultural Research Service is considering issuing a notice of quarantine and supplemental regulations to read substantially as follows:

QUARANTINE

§ 301.78 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and after the public hearing required thereby, the State of Florida is hereby quarantined to prevent the spread of infestation of the Mediterranean fruit fly, a dangerous insect notoriously injurious to fruits and vegetables and not heretofore widely prevalent or distributed within and throughout the United States, and under the authority conferred by the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.), regulations are hereinafter prescribed governing the movement of the Mediterranean fruit fly and carriers thereof. Hereafter the following shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from said quarantined State into or through any other State, Territory, or District of the United States in manner or method or under conditions other than those prescribed in the regulations supplemental hereto, as from time to time amended: (a) Live Mediterranean fruit flies in any stage of development; (b) fruits and vegetables, and other garden and orchard products of all kinds, and cotton bolls and seed cotton; (c) sand, soil, earth, peat, compost, and manure; and (d) fruitpicking equipment; trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers which have been or are being used in conveying fruits or vegetables; other products and articles, including nursery stock, which have been associated with the production of, or commerce in, fruits and vegetables, or have been or are contaminated with sand, soil, earth, peat, compost, or manure; and, unlimited by the foregoing, any other products and articles of any character whatsoever; when it is determined in accordance with the regulations supplemental hereto that they present a hazard of spread of the Mediterranean fruit fly. However, the requirements of this quarantine and of the regulations supplemental hereto, except as otherwise provided in such regulations, are hereby limited to the areas in the quarantined State which may be designated as regulated areas as provided in such regulations, as long as, in the judgment of the Administrator of the Agricultural Research Service, the enforcement of said regulations as to such regulated areas will be adequate to prevent the spread of the Mediterranean fruit fly, except that such limitation is further conditioned upon the State's providing for and enforcing control of the movement within such State of the regulated articles under the same conditions as those which apply to their interstate movements under the provisions of currently existing Federal quarantine regulations, and upon its enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, shall be deemed adequate to prevent the spread therefrom within such State of the said insect infestation: Moreover, whenever the Chief of the Plant Pest Control Branch shall find that facts exist as to the pest risk involved in the movement of one or more of the products or articles to which the regulations supplemental hereto apply, except live Mediterranean fruit flies in any stage of development, making it safe to modify, by making less stringent, the requirements contained in such supplemental regulations, he shall set forth and publish such finding in administrative instructions, specify-

ing the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective for such period and for such regulated area or portion thereof and for such products or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

§ 301.78-1 *Definitions.* For the purpose of the regulations in this subpart the following terms shall be construed, respectively, to mean:

(a) *Mediterranean fruit fly.* The insect known as the Mediterranean fruit fly (*Ceratitidis capitata* Wied.), in any stage of development.

(b) *Infestation.* The presence of the Mediterranean fruit fly.

(c) *Regulated areas.* The counties, precincts, cities, and other minor civil divisions, or parts thereof, designated in administrative instructions under § 301.78-2 as regulated areas.

(d) *Regulated articles.* Mediterranean fruit flies and other products and articles regulated under this subpart.

(e) *Inspector.* An inspector of the United States Department of Agriculture.

(f) *"Moved"* (*"movement," "move"*). Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, interstate, directly or indirectly. *"Movement"* and *"move"* shall be construed accordingly.

(g) *Certificate.* A valid document evidencing compliance with the requirements of this subpart.

(h) *Limited permit.* A valid document authorizing the movement of regulated articles to a restricted destination for limited handling, utilization, or processing.

(i) *Interstate.* From one State, Territory, or District of the United States into or through another.

(j) *Administrative instructions.* Published documents, relating to the enforcement of the provisions in this subpart, issued under authority of such provisions by the Chief of the Plant Pest Control Branch, Agricultural Research Service.

§ 301.78-2 *Designation of regulated areas.* The Chief of the Plant Pest Control Branch shall, from time to time, in administrative instructions promulgated by him, list the counties, cities, precincts, and other minor civil divisions, or parts thereof, in the quarantined State, in which infestation of the Mediterranean fruit fly has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate such counties, precincts, and other civil divisions, or parts thereof, as constituting the regulated areas. Any civil division, or part thereof, so designated shall continue in a regulated status until the Chief of the Plant Pest Control Branch shall have determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the Mediterranean fruit fly therein and that regulations of such area is not otherwise necessary under this section, and shall have issued administrative instructions revoking the designation of such civil division, or part thereof, as a regulated area.

§ 301.78-3 *Regulated articles—(a) Mediterranean fruit flies; removal prohibited, exception.* The removal from any State or Territory to any other State or Territory or the District of Columbia, or from said District to any State or Territory, of live Mediterranean fruit flies, except for scientific purposes, is prohibited by the Insect Pest Act (7 U. S. C. 141). Provisions for the removal of live Mediterranean fruit flies, for scientific purposes, are set forth in § 301.78-9.

(b) *Other regulated articles; movement regulated.* Unless exempted by administrative instructions issued by the Chief of the Plant Pest Control Branch, the movement from any regulated area of any of the following is permitted only under the conditions provided in the regulations in this subpart: Fruits and vegetables, and other garden and orchard products of all kinds, and cotton bolls and seed cotton; sand, soil, earth, peat, compost, and manure; and products and articles determined by an inspector to present a hazard of spread of the Mediterranean fruit fly under § 301.78 (d).

§ 301.78-4 *Conditions governing movement of regulated articles—(a) Garden and orchard products; cotton bolls and seed cotton; sand, soil, etc.* (1) Fruits

and vegetables, and other garden and orchard products of all kinds; cotton bolls and seed cotton; and sand, earth, peat, compost, and manure; which originate in a regulated area, may be moved from any regulated area into or through any point outside thereof if a certificate or limited permit has been issued therefor in compliance with § 301.78-5 and if the applicable requirements of subparagraphs (2) and (3) of this paragraph are also met.

(2) Every container of regulated articles designated in subparagraph (1) of this paragraph, or, if there is no container, the articles themselves, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment under said subparagraph, and shall have securely attached to the outside thereof the certificate or limited permit covering the shipment, except that in the case of less-than-carlot freight or express shipments a certificate or limited permit attached to one of the containers and another certificate or limited permit attached to the waybill will be sufficient; in the case of carlot freight or express shipments, either in containers or in bulk, a certificate or limited permit attached to the waybill will be sufficient; and in the case of shipments by road vehicle, the certificate or limited permit shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

(3) Subsequent to certification as provided in § 301.78-5, regulated articles designated in subparagraph (1) of this paragraph must be loaded, handled, and shipped only under such protection and safeguards against infestation as are required by the inspector.

(4) Regulated articles of kinds designated in subparagraph (1) of this paragraph, which originate outside any regulated area and are moving through or are being reshipped from any regulated area may be moved from any regulated area without compliance with the provisions of subparagraphs (1), (2), or (3) of this paragraph when the point of origin is clearly indicated, when the identity has been maintained, and when the articles have been safeguarded against infestation while in the regulated area in a manner satisfactory to an inspector. Otherwise such regulated articles shall be subject to all of the requirements of subparagraphs (1), (2), and (3) of this paragraph.

(b) *Products and articles determined to present hazards.* When it is determined by an inspector that a hazard of spread of the Mediterranean fruit fly is presented by any fruit-picking equipment; any trucks, wagons, cars, aircraft, boats, other means of conveyance or containers which have been or are being used in conveying fruits or vegetables; other products or articles, including nursery stock, which have been associated with the production of, or commerce in, fruits or vegetables, or have been or are contaminated with sand, soil, earth, peat, compost, or manure; or, unlimited by the foregoing, any other products or articles of any character whatsoever, such equipment, means of conveyance, containers, products or articles may be moved from any regulated area into or through any point outside thereof after they have been thoroughly cleaned, disinfested, or otherwise treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied, or they may be so moved under limited permit. Notice of the application of such requirements to particular means of conveyance, containers, and other products and articles under this paragraph shall be given to the person in charge thereof.

§ 301.78-5 *Conditions governing the issuance of certificates and limited permits.*—(a) *Certificates.* Certificates may be issued for the movement from a regulated area of the regulated articles designated in § 301.78-4 (a) under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(b) *Limited permits.* Limited permits may be issued by the inspector for the movement from a regulated area of noncertified regulated articles designated in § 301.78-4 (a) or (b) to specified destinations for limited handling, utilization, or processing. Persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Plant Pest Control Branch to maintain such safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance

of identity, handling, or subsequent movement of such articles and to the cleaning or treatment of trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers used in transportation of such articles as may be required by the inspector.

§ 301.78-6 *Assembly of articles for inspection.* Persons intending to move any of the regulated articles under § 301.78-4 (a) shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection.

§ 301.78-7 *Cancellation of certificates or limited permits.* Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or canceled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of the Mediterranean fruit fly.

§ 301.78-8 *Inspection and disposition.* Any truck, wagon, car, aircraft, boat, or other means of conveyance, or container, which is moving interstate and which an inspector has probable cause to believe carries or contains any Mediterranean fruit fly or other regulated article the movement of which is prohibited or restricted by the quarantine or regulations in this subpart shall be subject to inspection by the inspector. When regulated articles are found to be moving or to have been moved in violation of the provisions in this subpart, the inspector may seize, destroy, or otherwise dispose of such articles as he deems necessary to eliminate the danger of spread of the Mediterranean fruit fly.

§ 301.78-9 *Shipments for scientific purposes.* Live Mediterranean fruit flies may be removed from any State or Territory into any other State or Territory or the District of Columbia, or from said District into any State or Territory, and other articles subject to the requirements of the regulations in this subpart may be moved from any regulated area, for experimental or other scientific purposes, on such conditions and under such safeguards as may be required by the Chief of the Plant Pest Control Branch. The container or, if there is none, the article itself shall bear, securely attached to the outside thereof, an identifying tag from the Plant Pest Control Branch.

§ 301.78-10 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the provisions in this subpart, other than for the services of the inspector.

The purpose of the proposed quarantine and supplemental regulations is to prevent the spread of the Mediterranean fruit fly from Florida, where it is known to occur, to other parts of the United States. The proposed regulations would provide methods whereby host material may be inspected and treated or otherwise made eligible for interstate movement from regulated areas. The regulations would also govern the interstate movement of live Mediterranean fruit flies for scientific purposes.

All persons who desire to submit written data, views, or arguments in connection with the proposed quarantine and supplemental regulations should file the same with the Chief of the Plant Pest Control Branch, Agricultural Research Service, United States Department of Agriculture, Washington 25, D. C., on or before May 9, 1956, or with the presiding officer at the hearing provided for above.

(Sec. 3, 33 Stat. 1270; secs. 8 and 9, 37 Stat. 318, as amended; 7 U. S. C. 143, 161, 162)

Done at Washington, D. C., this 26th day of April 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, April 30, 1956, 8:53 a. m.; 21 F. R. 2843.]

QUARANTINE AGAINST MEDFLY EFFECTIVE MAY 16 IN BROWARD, DADE COUNTIES, FLA.

(Press Notice)

MAY 14, 1956.

Effective May 16, the southern Florida counties of Broward and Dade will be regulated under a Mediterranean fruit fly quarantine (Press Releases 1202-56, 1224-56, 1333-56), the U. S. Department of Agriculture announced today. Fruits and vegetables, and other garden and orchard products of all kinds, all types of

soil, and other products and articles likely to harbor this serious pest of fruits and vegetables, moving interstate from the regulated counties, in general will require certification based on treatment, inspection, or nonexposure to infestation.

Although the entire State of Florida is included within the Mediterranean fruit fly quarantined area, only the counties actually found to be infested or immediately threatened by the pest are regulated.

All individuals and commercial firms desiring to move fruits and vegetables from Broward and Dade counties will be affected by the order.

P. P. C.—Q. 78

Effective May 16, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

MEDITERRANEAN FRUIT FLY QUARANTINE AND REGULATIONS

On May 1, 1956, there was published in the Federal Register (21 F. R. 2843) notices of public hearing and of proposed rule making concerning issuance of a notice of quarantine and supplemental regulations to quarantine the State of Florida because of the Mediterranean fruit fly and to provide means whereby areas within the State may be regulated and host material may be inspected and treated or otherwise made eligible for interstate movement from such regulated areas.

After public hearing and due consideration of all relevant matters presented pursuant to the notices, and under the authority of sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162) and section 3 of the Insect Pest Act of 1905 (7 U. S. C. 143), it has been determined that it is necessary to quarantine the State of Florida to prevent the spread of the Mediterranean fruit fly, a dangerous insect infestation, not heretofore widely prevalent or distributed within and throughout the United States, and the notice of quarantine and supplemental regulations are hereby issued to appear, in a new subpart under the heading "Mediterranean fruit fly," in 7 CFR Part 301, as follows:

QUARANTINE

Sec.	
301.78	Notice of quarantine.

REGULATIONS

301.78—1	Definitions.
301.78—2	Designation of regulated areas.
301.78—3	Regulated articles.
301.78—4	Conditions governing movement of regulated articles.
301.78—5	Conditions governing the issuance of certificates and limited permits.
301.78—6	Assembly of articles for inspection.
301.78—7	Cancellation of certificates or limited permits.
301.78—8	Inspection and disposition.
301.78—9	Shipments for scientific purposes.
301.78—10	Nonliability of Department.

QUARANTINE

§ 301.78 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and after the public hearing required thereby, the State of Florida is hereby quarantined to prevent the spread of infestation of the Mediterranean fruit fly, a dangerous insect notoriously injurious to fruits and vegetables and not heretofore widely prevalent or distributed within and throughout the United States, and under the authority conferred by the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.), regulations are hereinafter prescribed governing the movement of the Mediterranean fruit fly and carriers thereof. Hereafter the following shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from said quarantined State into or through any other State, Territory, or District of the United States in manner or method or under conditions other than those prescribed in the regulations supplemental hereto, as from time to time amended: (a) Live Mediterranean fruit flies in any stage of development; (b) fruits and vegetables, and other garden and orchard products of all kinds; (c) sand, soil, earth, peat, compost,

and manure; and (d) fruit-picking equipment; trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers which have been or are being used in conveying fruits or vegetables; other products and articles, including nursery stock, which have been associated with the production of, or commerce in, fruits and vegetables, or have been or are contaminated with sand, soil, earth, peat, compost, or manure; and, unlimited by the foregoing, any other products and articles of any character whatsoever; when it is determined in accordance with the regulations supplemental hereto that they present a hazard of spread of the Mediterranean fruit fly. However, the requirements of this quarantine and of the regulations supplemental hereto, except as otherwise provided in such regulations, are hereby limited to the areas in the quarantined State which may be designated as regulated areas as provided in such regulations, as long as, in the judgment of the Administrator of the Agricultural Research Service, the enforcement of said regulations as to such regulated areas will be adequate to prevent the spread of the Mediterranean fruit fly, except that such limitation is further conditioned upon the State's providing for and enforcing control of the movement within such State of the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon its enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, shall be deemed adequate to prevent the spread therefrom within such State of the said insect infestation. Moreover, whenever the Chief of the Plant Pest Control Branch shall find that facts exist as to the pest risk involved in the movement of one or more of the products or articles to which the regulations supplemental hereto apply, except live Mediterranean fruit flies in any stage of development, making it safe to modify, by making less stringent, the requirements contained in such supplemental regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective for such period and for such regulated area or portion thereof and for such products or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

§ 301.78-1 *Definitions.* For the purpose of the regulations in this subpart the following terms shall be construed, respectively, to mean:

(a) *Mediterranean fruit fly.* The insect known as the Mediterranean fruit fly (*Ceratitidis capitata* Wied.), in any stage of development.

(b) *Infestation.* The presence of the Mediterranean fruit fly.

(c) *Regulated areas.* The counties, precincts, cities, and other minor civil divisions, or parts thereof, designated in administrative instructions under § 301.78-2 as regulated areas.

(d) *Regulated articles.* Mediterranean fruit flies and other products and articles regulated under this subpart.

(e) *Inspector.* An inspector of the United States Department of Agriculture.

(f) *"Moved"* ("movement," "move"). Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, interstate, directly or indirectly. "Movement" and "move" shall be construed accordingly.

(g) *Certificate.* A valid document evidencing compliance with the requirements of this subpart.

(h) *Limited permit.* A valid document authorizing the movement of regulated articles to a restricted destination for limited handling, utilization, or processing.

(i) *Dealer-carrier agreement.* A document constituting an agreement to comply with stipulated quarantine conditions, executed by persons or firms engaged in purchasing, handling, processing, utilizing, or moving regulated articles.

(j) *Interstate.* From one State, Territory, or District of the United States into or through another.

(k) *Administrative instructions.* Published documents, relating to the enforcement of the provisions in this subpart, issued under authority of such provisions by the Chief of the Plant Pest Control Branch, Agricultural Research Service.

§ 301.78-2 *Designation of regulated areas.* The Chief of the Plant Pest Control Branch shall, from time to time, in administrative instructions promulgated by him, list the counties, cities, precincts, and other minor civil divisions, or parts thereof, in the quarantined State, in which infestation of the Mediterranean fruit fly has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate such counties, precincts, and other civil divisions, or parts thereof, as constituting the regulated areas. Any civil division, or part thereof, so designated shall continue in a regulated status until the Chief of the Plant Pest Control Branch shall have determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the Mediterranean fruit fly therein and that regulation of such area is not otherwise necessary under this section, and shall have issued administrative instructions revoking the designation of such civil division, or part thereof, as a regulated area.

§ 301.78-3 *Regulated articles*—(a) *Mediterranean fruit flies, removal prohibited, exception.* The removal from any State or Territory to any other State or Territory or the District of Columbia, or from said District to any State or Territory, of live Mediterranean fruit flies, except for scientific purposes, is prohibited by the Insect Pest Act (7 U. S. C. 141). Provisions for the removal of live Mediterranean fruit flies, for scientific purposes, are set forth in § 301.78-9.

(b) *Other regulated articles; movement regulated.* Unless exempted by administrative instructions issued by the Chief of the Plant Pest Control Branch, the movement from any regulated area of any of the following is permitted only under the conditions provided in the regulations in this subpart: Fruits and vegetables, and other garden and orchard products of all kinds; sand, soil, earth, peat, compost, and manure; and products and articles determined by an inspector to present a hazard of spread of the Mediterranean fruit fly under § 301.78-4 (b).

§ 301.78-4 *Conditions governing movement of regulated articles*—(a) *Garden and orchard products; sand, soil, etc.* (1) Fruits and vegetables, and other garden and orchard products of all kinds; and sand, soil, earth, peat, compost, and manure; which originate in a regulated area, may be moved from any regulated area into or through any point outside thereof if a certificate or limited permit has been issued therefor in compliance with § 301.78-5 and if the applicable requirements of subparagraphs (2) and (3) of this paragraph are also met.

(2) Every container of regulated articles designated in subparagraph (1) of this paragraph, or, if there is no container, the articles themselves, shall be plainly marked with the name and address of the consignor and the name and address of the consignee, when offered for shipment under said subparagraph, and shall have securely attached to the outside thereof the certificate or limited permit covering the shipment, except that in the case of less-than-carlot freight or express shipments a certificate or limited permit attached to one of the containers and another certificate or limited permit attached to the waybill will be sufficient; in the case of carlot freight or express shipments, either in containers or in bulk, a certificate or limited permit attached to the waybill will be sufficient; and in the case of shipments by road vehicle, the certificate or limited permit shall accompany the shipment and shall be surrendered to the consignee upon delivery of the shipment.

(3) Subsequent to certification as provided in § 301.78-5, regulated articles designated in subparagraph (1) of this paragraph must be loaded, handled, and shipped only under such protection and safeguards against infestation as are required by the inspector.

(4) Regulated articles of kinds designated in subparagraph (1) of this paragraph, which originate outside any regulated area and are moving through or are being reshipped from any regulated area, may be moved from any regulated area without compliance with the provisions of subparagraphs (1), (2), or (3) of this paragraph when the point of origin is clearly indicated, when the identity has been maintained, and when the articles have been safeguarded against infestation while in the regulated area in a manner satisfactory to an inspector. Otherwise such regulated articles shall be subject to all of the requirements of subparagraphs (1), (2), and (3), of this paragraph.

(b) *Products and articles determined to present hazards.* When it is determined by an inspector that a hazard of spread of the Mediterranean fruit fly

is presented by any fruit-picking equipment; any trucks, wagons, cars, aircraft, boats, other means of conveyance or containers which have been or are being used in conveying fruits or vegetables; other products or articles, including nursery stock, which have been associated with the production of, or commerce in, fruits or vegetables, or have been or are contaminated with sand, soil, earth, peat, compost, or manure; or, unlimited by the foregoing, any other products or articles of any character whatsoever, such equipment, means of conveyance, containers, products or articles may be moved from any regulated area into or through any point outside thereof after they have been thoroughly cleaned, disinfested, or otherwise treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied, or they may be so moved under limited permit. Notice of the application of such requirements to particular means of conveyance, containers, and other products and articles under this paragraph shall be given to the person in charge thereof.

§ 301.78-5 *Conditions governing the issuance of certificates and limited permits*—(a) *Certificates*. Certificates may be issued for the movement from a regulated area of the regulated articles designated in § 301.78-4 (a) under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(b) *Limited permits*. Limited permits may be issued by the inspector for the movement from a regulated area of noncertified regulated articles designated in § 301.78-4 (a) or (b) to specified destinations for limited handling, utilization, or processing. Persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Plant Pest Control Branch to maintain such safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of such articles and to the cleaning or treatment of trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers used in transportation of such articles as may be required by the inspector.

(c) *Dealer-carrier agreement*. As a condition of issuance of certificates or permits for the movement of regulated articles, any person or firm engaged in purchasing, assembling, exchanging, processing, or carrying such regulated articles originating or stored in regulated areas, may be required to sign a dealer-carrier agreement stipulating that he will carry out any and all conditions, treatments, precautions, and sanitary measures which are deemed necessary by the inspector, including segregation and maintenance of identity, under supervision of the inspector, of all regulated articles.

§ 301.78-6 *Assembly of articles for inspection*. Persons intending to move any of the regulated articles under § 301.78-4 (a) shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection.

§ 301.78-7 *Cancellation of certificates or limited permits*. Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or canceled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of the Mediterranean fruit fly.

§ 301.78-8 *Inspection and disposition*. Any truck, wagon, car, aircraft, boat, or other means of conveyance, or container, which is moving interstate and which an inspector has probable cause to believe carries or contains any Mediterranean fruit fly or other regulated article the movement of which is prohibited or restricted by the quarantine or regulations in this subpart shall be subject to inspection by the inspector. When regulated articles are found to be moving or to have been moved in violation of the provisions in this subpart, the inspector may seize, destroy, or otherwise dispose of such articles as he deems necessary to eliminate the danger of spread of the Mediterranean fruit fly.

§ 301.78-9 *Shipments for scientific purposes.* Live Mediterranean fruit flies may be removed from any State or Territory into any other State or Territory or the District of Columbia, or from said District into any State or Territory, and other articles subject to the requirements of the regulations in this subpart may be moved from any regulated area, for experimental or other scientific purposes, on such conditions and under such safeguards as may be required by the Chief of the Plant Pest Control Branch. The container or, if there is none, the article itself shall bear, securely attached to the outside thereof, an identifying tag from the Plant Pest Control Branch.

§ 301.78-10 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the provisions in this subpart, other than for the services of the inspector.

The foregoing quarantine and regulations shall be effective on and after May 16, 1956.

The purpose of the quarantine and supplemental regulations is to prevent the spread of the Mediterranean fruit fly from Florida, where it is known to occur, to other parts of the United States. The supplemental regulations provide methods whereby host material may be inspected and treated or otherwise made eligible for interstate movement from regulated areas. The regulations also govern the interstate movement of live Mediterranean fruit flies for scientific purposes.

Since the State of Florida prohibits the growing of cotton in the areas which it is intended to regulate, the references to "cotton bolls and seed cotton" that appeared in the quarantine and regulations as published in the notice of proposed rule making have been deleted. A provision has also been newly introduced providing for a dealer-carrier agreement.

The Chief of the Plant Pest Control Branch will supplement these regulations by issuing administrative instructions listing the counties, precincts, cities, and other minor civil divisions, or parts thereof, in the quarantined State in which infestation of the Mediterranean fruit fly has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and designating such localities as regulated areas.

In order to be of maximum protection to the public the foregoing quarantine and regulations should be made effective as soon as possible. Therefore under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that further notice of rule making with respect to the dealer-carrier agreement provisions would be impracticable and contrary to the public interest and good cause is found for making the document effective less than 30 days after publication in the Federal Register.

(Sec. 3, 33 Stat. 1270; secs. 8 and 9, 37 Stat. 318, as amended; 7 U. S. C. 143, 161, 162.)

Done at Washington, D. C., this 11th day of May 1956.

[SEAL]

M. R. CLARKSON,

Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, May 15, 1956, 8:53 a. m.; 21 F. R. 3213.]

[Copies of the quarantine and regulations and the two following administrative instructions were sent to all common carriers doing business in or through the State of Florida; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above quarantine and the two following administrative instructions and regulations was published in the Herald, Miami, Fla., May 18, 1956.]

P. P. C. 615

Effective May 16, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES SUBPART—MEDITERRANEAN FRUIT FLY

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREAS

Pursuant to § 301.78-2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR 301.78-2), under sections 8 and 9 of the Plant

Quarantine Act of 1912 as amended (7 U. S. C. 161, 162), the Chief of the Plant Pest Control Branch hereby issues administrative instructions to appear in a new subpart, under the heading "Mediterranean fruit fly," in Title 7, Chapter III, Part 301, of the Code of Federal Regulations, as follows:

§ 301.78-2a *Administrative instructions designating regulated areas under the Mediterranean fruit fly quarantine and regulations.* Infestations of the Mediterranean fruit fly have been determined to exist in the civil divisions, and parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such civil divisions and parts thereof because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Accordingly, such civil divisions, and parts thereof, are hereby designated as Mediterranean fruit fly regulated areas within the meaning of the provisions in this subpart:

Florida: The counties of Broward and Dade.

These administrative instructions shall become effective May 16, 1956.

These instructions list the counties regulated under the Mediterranean fruit fly notice of quarantine and supplemental regulations and supplement such regulations. The notice of quarantine and regulations and the instructions must be made concurrently effective in order to carry out the purposes of the quarantine and regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing instructions are impracticable and contrary to the public interest and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

Done at Washington, D. C., this 11th day of May 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, May 15, 1956, 8:54 a. m.; 21 F. R. 3216.]

P. P. C. 616

Effective May 16, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS

Pursuant to the authority conferred on him by the fourth sentence of the Mediterranean fruit fly quarantine (Notice of Quarantine No. 78, 7 CFR § 301.78), under sections 8 and 9 of the Plant Quarantine Act of 1912 (7 U. S. C. 161, 162), the Chief of the Plant Pest Control Branch hereby issues administrative instructions exempting certain regulated articles from the requirements of §§ 301.78-4 and 301.78-5 of the regulations supplemental to the said notice of quarantine (7 CFR 301.78-4, 301.78-5), such administrative instructions to appear as § 301.78a in Title 7, Code of Federal Regulations, as follows:

§ 301.78a *Administrative instructions exempting certain articles from specific requirements.* It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area, as hereinafter provided. The following articles are hereby exempt from the requirements of §§ 301.78-4 and 301.78-5:

- (a) *Fruits.* (1) Coconuts.
- (2) Lemons, when picked green and commercially packed.
- (3) Sour limes, when picked green and commercially packed.
- (4) Strawberries, blackberries, and dewberries.
- (5) Watermelons.
- (b) *Vegetables.* (1) Beans.
- (2) Celery, when free from soil.
- (3) Gourds.

- (4) Chili and Cayenne peppers (not including bell peppers).
- (5) Pumpkins.
- (6) Green tomatoes, when commercially packed.
- (7) Squash.

These instructions shall become effective May 16, 1956.

The foregoing administrative instructions relieve restrictions by permitting the movement of certain articles without a certificate or limited permit under the Mediterranean fruit fly quarantine and regulations. It has been determined that such movement will not result in the spread of the Mediterranean fruit fly and that the restrictions provided by the quarantine and regulations upon such movement are unnecessary. In order to be of maximum benefit to affected shippers, the instructions relieving such restrictions should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule making procedure with respect to the instructions are impracticable and unnecessary.

Since the instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

Done at Washington, D. C., this 11th day of May 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, May 15, 1956, 8:53 a. m.; 21 F. R. 3216.]

MEDITERRANEAN FRUIT FLY REGULATED AREA TO INCLUDE PALM BEACH COUNTY, FLA.

(Press Notice)

MAY 29, 1956.

Recent discovery of the Mediterranean fruit fly in Palm Beach County, Fla., has necessitated the addition of that county to the Florida area regulated because of this destructive insect, the U. S. Department of Agriculture announced today. The amendment of the quarantine regulations making this addition will be effective June 1, 1956.

Palm Beach County is immediately north of Broward and Dade Counties, the two east-coast counties near the southern tip of the State that were designated as regulated area on May 16 (Press Release 1344-56). The same restrictions on the movement of fruits and vegetables that have been effective in the two-county area will now apply to such movement from Palm Beach County.

P. P. C. 615, Revised

Effective June 1, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREA

Pursuant to § 301.78-2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR Supp. 301.78-2, 21 F. R. 3214), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions issued as 7 CFR Supp. 301.78-2a (21 F. R. 3216), effective May 16, 1956, are hereby amended to read as follows:

§ 301.78-2a *Administrative instructions designating regulated area under the Mediterranean fruit fly quarantine and regulations.* Infestations of the Mediterranean fruit fly have been determined to exist in the civil divisions listed below. Accordingly, such civil divisions are hereby designated as the

Mediterranean fruit fly regulated area within the meaning of the provisions in this subpart:

Florida: The counties of Broward, Dade, and Palm Beach.

These amended administrative instructions shall become effective June 1, 1956.

The purpose of the amendment is to add the Florida county of Palm Beach to the list of counties in which Mediterranean fruit fly infestations have been determined to exist, and designate Palm Beach County as part of the area regulated under the Mediterranean fruit fly quarantine and regulations.

This amendment imposes restrictions supplementing Mediterranean fruit fly quarantine regulations already effective. It must be made effective promptly in order to carry out the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 28th day of May 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, May 31, 1956, 8:52 a. m.; 21 F. R. 3722.]

[Copies of these administrative instructions were sent to all common carriers doing business in or through the State of Florida; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above administrative instructions was published in the Herald, Miami, Fla., June 4, 1956.]

P. P. C. 616, Revised

Effective June 16, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

REVISED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS, INTERPRETATION RE CERTAIN PRODUCTS

Pursuant to the authority conferred on him by the fourth sentence of the Mediterranean fruit fly quarantine (Notice of Quarantine No. 78, 7 CFR 301.78, 21 F. R. 3213), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), and pursuant to other delegations of authority (19 F. R. 515, as amended) the Chief of the Plant Pest Control Branch hereby issues revised administrative instructions exempting certain regulated articles from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5 of the regulations, supplemental to the said notice of quarantine (7 CFR 301.78-3 (b), 301.78-4, 301.78-5; 21 F. R. 3214, 3215), and an interpretation re certain other products, to appear as § 301.78a in Title 7, Code of Federal Regulations, as follows:

§ 301.78a *Administrative instructions exempting certain articles from specified requirements; interpretation re nursery stock, cut flowers, bulbs, etc.* It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area, as hereinafter provided. The following articles are hereby exempted from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5.

- (a) *Fruits.* (1) Coconuts.
- (2) Lemons, when picked green and commercially packed.
- (3) Sour limes, when picked green and commercially packed.
- (4) Strawberries, blackberries, and dewberries.
- (b) *Vegetables.* (1) Beans.

- (2) Broccoli.
- (3) Brussels sprouts.
- (4) Cabbage.
- (5) Carrots.
- (6) Cauliflower.
- (7) Celery, when free of soil.
- (8) Corn.
- (9) Gourds.
- (10) Kohlrabi.
- (11) Lettuce, endive (escarole), chickory, and other leafy (salad) vegetables.
- (12) Onions.
- (13) Peas, field, English or garden.
- (14) Peppers, chili and cayenne (not including bell peppers).
- (15) Potatoes (Irish).
- (16) Pumpkins.
- (17) Radishes.
- (18) Spinach, collards, mustard and other leafy greens.
- (19) Squash.
- (20) Sweet potatoes.
- (21) Tomatoes, green, when commercially packed.
- (22) Turnips.
- (23) Watermelons.

Nursery stock, without fruit or berries and free of soil; bulbs, corms, tubers, and rhizomes, other than vegetables, when free of soil; and cut flowers; are not considered as being regulated articles within the meaning of the regulations in this subpart.

These revised instructions shall be effective on June 16, 1956, and on that day shall supersede P. P. C. 616, which was effective May 16, 1956 (7 CFR 301.78a, 21 F. R. 3216).

The chief purpose of this revision is to add to the kinds of vegetables that are exempt from the requirements of the Mediterranean fruit fly quarantine and regulations. It has been determined that movement of such vegetables will not result in the spread of the Mediterranean fruit fly and that the restrictions provided by the quarantine and regulations upon such movement are unnecessary. In order to be of maximum benefit to affected shippers, the revised instructions relieving such restrictions should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule making procedure with respect to the revised instructions are impracticable and unnecessary.

Since the instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 13th day of June 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, June 15, 1956, 8:48 a. m.; 21 F. R. 4251.]

THREE FLORIDA COUNTIES ADDED TO MEDITERRANEAN FRUIT FLY REGULATED AREA

(Press Notice)

JULY 5, 1956.

Three west-coast Florida counties—Lee, Hendry, and Collier—were added to the Mediterranean fruit fly regulated area in an amended quarantine order effective July 7, the U. S. Department of Agriculture announced today. With the addition of these three counties to previously regulated Broward, Dade, and Palm Beach Counties, the area under Federal regulation now includes all except one county in the southern fifth of the State.

There are numerous spot infestations of the Mediterranean fruit fly in counties north of those regulated. Each isolated infestation discovered has been promptly

treated with a poison-bait spray. In addition, these solitary infestations are under constant State surveillance and regulation, as provided by the Florida Plant Act. In their present status, a USDA spokesman explained, it is not necessary to place them under Federal regulation.

P. P. C. 615, Second Revision

Effective July 7, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREA

Pursuant to § 301.78-2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR Supp. 301.78-2, 21 F. R. 3214), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions issued as 7 CFR Supp. 301.78-2a (21 F. R. 3216), effective May 16, 1956, as amended effective June 1, 1956 (21 F. R. 3722), are hereby amended to read as follows:

§ 301.78-2a *Administrative instructions designating regulated area under the Mediterranean fruit fly quarantine and regulations.* Infestations of the Mediterranean fruit fly have been determined to exist in the civil divisions listed below. Accordingly, such civil divisions are hereby designated as the Mediterranean fruit fly regulated area within the meaning of the provisions of this subpart:

Florida. The counties of Broward, Collier, Dade, Hendry, Lee, and Palm Beach.

These amended administrative instructions shall become effective July 7, 1956.

The purpose of the amendment is to add the Florida counties of Collier, Hendry, and Lee to the list of counties in which Mediterranean fruit fly infestations have been determined to exist, and designate these three counties as part of the area regulated under the Mediterranean fruit fly quarantine and regulations.

Recent survey and trapping records show that Mediterranean fruit fly infestation is more prevalent in Lee County than was apparent earlier. Hendry and Collier counties are not infested to the same extent as Lee County, but it is considered necessary to add these two counties to the regulated area because of their inseparability for quarantine enforcement purposes from other infested localities. Although there are spot infestations north of the six counties included in the extended regulated area, all of these have been treated with a malathion bait spray and are under regulation by the State in accordance with their Florida Plant Act of 1927. Consequently, it is not necessary to designate these isolated infestations as part of the regulated area.

This amendment imposes restrictions supplementing Mediterranean fruit fly quarantine regulations already effective. It must be made effective promptly in order to carry out the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 2d day of July 1956.

[SEAL]

L. F. CURL,

Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, July 6, 1957, at 8:49 a. m.; 21 F. R. 5032.]

[Copies of these administrative instructions were sent to all common carriers doing business in or through the State of Florida; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above administrative instructions was published in the Herald, Miami, Fla., July 12, 1956.]

PINELLAS COUNTY, FLA., TO BE REGULATED FOR MEDFLY

(Press Notice)

JULY 11, 1956.

Pinellas County, Fla., including the heavily-populated St. Petersburg area, has been added to the Mediterranean fruit fly regulated area under an amended quarantine order effective July 13, 1956, the U. S. Department of Agriculture announced today.

A rather general infestation of the fly has been found along the coastal section of the county, including part of the city of St. Petersburg. This west coast county is isolated from counties previously regulated.

The Florida Plant Board acted promptly to prevent spread of the fly from this section, by establishing road inspection stations on five exit highways and by restricting the movement of host material.

P. P. C. 615, Third Revision

Effective July 13, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREA

Pursuant to § 301.78—2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR Supp. 301.78—2, 21 F. R. 3214) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions issued at 7 CFR Supp. 301.78—2a (21 F. R. 3216), effective May 16, 1956, as amended effective June 1, 1956, and July 7, 1956 (21 F. R. 3722, 5032), are hereby amended to read as follows:

§ 301.78—2a *Administrative instructions designating regulated area under the Mediterranean fruit fly quarantine and regulations.* Infestations of the Mediterranean fruit fly have been determined to exist in the civil divisions listed below. Accordingly, such civil divisions are hereby designated as the Mediterranean fruit fly regulated area within the meaning of the provisions in this subpart:

Florida. The counties of Broward, Collier, Dade, Hendry, Lee, Palm Beach, and Pinellas.

These amended administrative instructions shall become effective July 13, 1956.

The purpose of the amendment is to add the Florida county of Pinellas to the list of counties in which Mediterranean fruit fly infestations have been determined to exist, and designate this county as part of the area regulated under the Mediterranean fruit fly quarantine and regulations.

Surveys have shown that a rather general infestation of the Mediterranean fruit fly has developed along the coastal area of heavily populated Pinellas County, involving a part of St. Petersburg. The Florida Plant Board has acted promptly to prevent spread of infestation from this county by establishing road inspection stations on the five exit highways.

This amendment imposes restrictions supplementing Mediterranean fruit fly quarantine regulations already effective. It must be made effective promptly in order to carry out the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.)

Done at Washington, D. C., this 9th day of July 1956.

[SEAL]

L. F. CURL,

Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, July 12, 1956, 8:52 a. m.; 21 F. R. 5208.]

[Copies of these administrative instructions were sent to all common carriers doing business in or through the State of Florida; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above administrative instructions was published in the Herald, Miami, Fla., July 13, 1956.]

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

REVISED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS; INTERPRETATION RE CERTAIN PRODUCTS

Pursuant to the authority conferred on him by the fourth sentence of the Mediterranean fruit fly quarantine (Notice of Quarantine No. 78, 7 CFR 301.78, 21 F. R. 3213), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), and pursuant to other delegations of authority (19 F. R. 515, as amended) the Chief of the Plant Pest Control Branch hereby issues revised administrative instructions exempting certain regulated articles from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5 of the regulations supplemental to the said notice of quarantine (7 CFR 301.78-3 (b), 301.78-4, 301.78-5; 21 F. R. 3214, 3215), and an interpretation re certain other products, to appear as § 301.78a in Title 7, Code of Federal Regulations, as follows:

§ 301.78a *Administrative instructions exempting certain articles from specified requirements; interpretation re nursery stock, cut flowers, bulbs, etc.* It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from any regulated area, as hereinafter provided. The following articles are hereby exempted from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5:

- (a) *Fruits.* (1) Coconuts.
- (2) Lemons, when picked green and commercially packed.
- (3) Sour limes, when picked green and commercially packed.
- (4) Strawberries, blackberries, and dewberries.
- (b) *Vegetables.* (1) Beans.
- (2) Broccoli.
- (3) Brussels sprouts.
- (4) Cabbage.
- (5) Carrots.
- (6) Cauliflower.
- (7) Celery, when free of soil.
- (8) Corn.
- (9) Gourds.
- (10) Kohlrabi.
- (11) Lettuce, endive (escarole), chicory and other leafy (salad) vegetables.
- (12) Okra.
- (13) Onions.
- (14) Peas, field, English or garden.
- (15) Peppers, chili and cayenne (not including bell peppers).
- (16) Potatoes (Irish).
- (17) Pumpkins.
- (18) Radishes.
- (19) Spinach, collards, mustard and other leafy greens.
- (20) Squash.
- (21) Sweet potatoes.
- (22) Tomatoes, green, when commercially packed.
- (23) Turnips.
- (24) Watermelons.

(c) *Vegetables produced under approved conditions.* All other vegetables produced in the Counties of Broward, Collier, Hendry, Lee, and Palm Beach, when grown under approved conditions that include spray schedules where required, and when handled under sanitary conditions satisfactory to an inspector.

Nursery stock, without fruit or berries and free of soil; bulbs, corms, tubers, and rhizomes, other than vegetables, when free of soil; and cut flowers; are not

considered as being regulated articles within the meaning of the regulations in this subpart.

These revised instructions shall be effective on August 24, 1956, and on that day shall supersede P. P. C. 616, revised, which was effective June 16, 1956 (7 CFR 301.78a, 21 F. R. 4251).

The purpose of this revision is to add okra to the list of vegetables that are exempt from the requirements of the Mediterranean fruit fly quarantine and regulations, and similarly to exempt all vegetables produced in Broward, Collier, Hendry, Lee, and Palm Beach counties when they have been grown under certain approved conditions and have been handled in a manner to safeguard them from reinfestation. The latter exemption is based on progress of control work and consequent reduction of Mediterranean fruit fly population in the five counties named. It has been determined that movement of such vegetables will not result in the spread of the Mediterranean fruit fly and that the restrictions provided by the quarantine and regulations upon such movement are unnecessary. In order to be of maximum benefit to affected shippers, the revised instructions relieving such restrictions should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule making procedure with respect to the revised instructions are impracticable and unnecessary.

Since the instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended: 7 U. S. C. 161)

Done at Washington, D. C., this 21st day of August 1956.

[SEAL]

L. F. CURL,
Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, August 23, 1956, 8:51 a. m.; 21 F. R. 6365.]

P. P. C. 616, 2d Revision, Amdt. 1

Effective October 6, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS

Pursuant to the authority conferred on him by the fourth sentence of the Mediterranean fruit fly quarantine (Notice of Quarantine No. 78, 7 CFR 301.78, 21 F. R. 3213), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), and pursuant to other delegations of authority (19 F. R. 515, as amended) the Chief of the Plant Pest Control Branch hereby amends § 301.78a (c) of revised administrative instructions (7 CFR 301.78a; 21 F. R. 6365) exempting certain regulated articles from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5 of the regulations supplemental to said notice of quarantine (7 CFR 301.78-3 (b), 301.78-4, 301.78-5; 21 F. R. 3214, 3215), by adding the word "Dade," between the words "Collier," and "Hendry," therein.

This amendment shall be effective October 6, 1956.

The purpose of this amendment is to add Dade County to the list of counties from which the movement of certain vegetables is exempt from the requirements of the Mediterranean fruit fly quarantine and regulations when they have been grown under approved conditions that include spray schedules where required, and when handled under sanitary conditions satisfactory to an inspector. This exemption is based on progress of control work and consequent reduction of Mediterranean fruit fly populations in Dade County. It has been determined that movement from Dade County of such vegetables will not result in the spread of the Mediterranean fruit fly. In order to be of maximum benefit to affected shippers, the amended instructions should be made effective as soon as possible.

Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule making procedure with respect to the amendment are impracticable and unnecessary.

Since the amendment relieves restrictions, it is within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after its publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 2d day of October 1956.

[SEAL]

L. F. CURL,

Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, October 5, 1956, 8:49 a. m.: 21 F. R. 7665.]

P. P. C. 616, Third Revision

Effective November 21, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—MEDITERRANEAN FRUIT FLY

REVISED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM SPECIFIC REQUIREMENTS; INTERPRETATION REGARDING CERTAIN PRODUCTS

Pursuant to the authority conferred on him by the fourth sentence of the Mediterranean fruit fly quarantine (Notice of Quarantine No. 78, 7 CFR 301.78, 21 F. R. 3213), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), and pursuant to other delegations of authority (19 F. R. 515, as amended) the Chief of the Plant Pest Control Branch hereby issues revised administrative instructions exempting certain regulated articles from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5 of the regulations supplemental to the said notice of quarantine (7 CFR 301.78-3 (b), 301.78-4, 301.78-5; 21 F. R. 3214, 3215), and an interpretation regarding certain other products, to appear as § 301.78a in Title 7, Code of Federal Regulations, as follows:

§ 301.78a *Administrative instructions exempting certain articles from specified requirements; interpretation regarding nursery stock, cut flowers, bulbs, etc.* It has been found that facts exist as to the pest risk involved in the movement of the following regulated articles under the regulations in this subpart which make it safe to make less stringent the requirements of the regulations with respect to the movement of such articles from the regulated area, as hereinafter provided. The following articles are hereby exempted from the requirements of §§ 301.78-3 (b), 301.78-4 and 301.78-5.

(a) *Fruits.* (1) Coconuts.

(2) Lemons, when picked green and commercially packed.

(3) Sour limes, when picked green and commercially packed.

(4) Strawberries, blackberries, and dewberries.

(b) *Vegetables produced under approved conditions.* The following vegetables when grown in any part of the regulated area under approved conditions that include spray schedules where required, and when handled under sanitary conditions satisfactory to an inspector:

(1) Bell peppers.

(2) Cantaloupes.

(3) Eggplant.

(4) Tomatoes, pink and red ripe.

(c) *Other vegetables.* All other vegetables produced in any part of the regulated area, including other kinds of peppers and tomatoes, not listed in paragraph (b) of this section.

(d) *Interpretation.* Nursery stock, without fruit or berries and free of soil; bulbs, corms, tubers, and rhizomes, other than vegetables, when free of soil; and

cut flowers; are not considered as being regulated articles within the meaning of the regulations in this subpart.

This revision shall be effective November 21, 1956, and on that date shall supersede revised administrative instructions effective August 24, 1956, as amended October 6, 1956 (7 CFR 301.78a, 21 F. R. 6365, 7665).

This revision exempts specified vegetables from the requirements of the Mediterranean fruit fly quarantine and regulations when grown in any part of the regulated area under approved conditions and handled in a manner to safeguard them from infestation. Exemption for these vegetables was previously limited to certain counties in the regulated area. The revision also broadly exempts from such requirements all other vegetables, including cucumbers produced in any part of the regulated area. Cucumbers were one of five important vegetables which heretofore were exempted only when grown in certain counties of the regulated area under approved conditions and handled in an approved manner. The exemptions are now applicable to all parts of the regulated area, including Pinellas County. The revision thus relieves restrictions heretofore applied.

These exemptions are based on further progress of control work and consequent reduction of Mediterranean fruit fly population in the regulated area. It has been determined that movement of vegetables as provided in the revision will not result in the spread of the Mediterranean fruit fly and that the restrictions provided by the quarantine and regulations upon such movement are unnecessary. In order to be of maximum benefit to affected shippers, the revised instructions relieving such restrictions should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public rule making procedure with respect to the revised instructions are impracticable and unnecessary.

Since the instructions relieve restrictions, they are within the exception in section 4 (c) of the Administrative Procedure Act and may properly be made effective less than 30 days after their publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 16th day of November 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, November 20, 1956, 8:51 a. m.; 21 F. R. 9052.]

PALM BEACH COUNTY, FLA., REMOVED FROM MEDITERRANEAN FRUIT FLY REGULATED AREA

(Press Notice)

DECEMBER 7, 1956.

Federal Mediterranean fruit fly quarantine restrictions now affecting the interstate movement of fruits and vegetables and other regulated articles from Palm Beach County, Fla., will be revoked on December 12, the U. S. Department of Agriculture announced today. The counties of Broward, Collier, Dade, Hendry, Lee, and Pinellas will continue under regulation.

Despite intensive survey and trapping operations by Federal and State personnel no specimens of the Medfly have been found in Palm Beach County for the last 3 months. It is, therefore, considered safe to remove the treatment, certification and other requirements under the Federal quarantine from that county.

Medfly infestation was found in Palm Beach County for the first time on May 14, 1956. Further trapping and surveys of preferred host fruits disclosed a rather general infestation in the southeastern corner of the county. Lighter infestation extended northward along the coastal area as far as West Palm Beach. In addition three isolated infestations were found in the vicinity of Lake Okeechobee, in the northwestern part of the county.

Eradication of the Medfly in Palm Beach County was accomplished primarily by means of airplane-applied poison-bait sprays. The areas sprayed one or more times included an extensive north-south block of some 27,000 acres along the county coastal area as far north as West Palm Beach and the isolated spots to the west. Cooperation by vegetable and citrus growers contributed much to the prompt eradication of the pest in the county, USDA officials said.

P. P. C. 615, 3d Rev., Amdt. 1

Effective December 12, 1956

TITLE 7—AGRICULTURE**CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE****PART 301—DOMESTIC QUARANTINE NOTICES****SUBPART—MEDITERRANEAN FRUIT FLY****AMENDMENT OF ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREA**

Pursuant to § 301.78-2 of the regulations supplemental to the Mediterranean Fruit Fly Quarantine (7 CFR Supp. 301.78-2, 21 F. R. 3214) under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), administrative instructions issued as 7 CFR Supp. 301.78-2a (21 F. R. 3216), effective May 16, 1956, as amended effective June 1, 1956, July 7, 1956, and July 13, 1956 (21 F. R. 3722, 5032, 5208), are hereby further amended by deleting Palm Beach County, Florida, from the list of civil divisions therein designated as Mediterranean fruit fly regulated area within the meaning of the provisions in this subpart, it having been determined by the Chief of the Plant Pest Control Branch, that adequate eradication measures have been practiced in said county for a sufficient length of time to eradicate the Mediterranean fruit fly infestation therein. Intensive survey and trapping activities have been carried on in the county, but no Mediterranean fruit flies have been found there for a period of three months. Therefore, it is considered safe to release the county from regulation.

This amendment shall be effective December 12, 1956.

The foregoing amendment relieves restrictions by removing Palm Beach County, Florida, from the list of civil divisions designated as Mediterranean fruit fly regulated area, thereby permitting unrestricted interstate movement from that county of all regulated products, including fruits and vegetables. The amendment must be made effective promptly in order to permit unrestricted movement of regulated products from the county. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318, 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 7th day of December 1956.

[SEAL]

L. F. CURL,
Acting Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, December 11, 1956, 8:46 a. m.: 21 F. R. 9787.]

[Copies of these administrative instructions were sent to all common carriers doing business in or through the State of Florida; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning the above administrative instructions was published in the Herald, Miami, Fla., December 17, 1956.]

**ANNOUNCEMENTS RELATING TO NURSERY STOCK,
PLANT, AND SEED QUARANTINE (NO. 37)**

P. Q.—Q. 37 Amendment

Effective May 21, 1956

TITLE 7—AGRICULTURE**CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE****PART 319—FOREIGN QUARANTINE NOTICES****SUBPART—NURSERY STOCK, PLANTS, AND SEEDS****POSTENTRY QUARANTINE**

On March 1, 1956, there was published in the Federal Register (21 F. R. 1369) under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice

of rule making relating to the proposed amendment of § 319.37-19 (c) of the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds (7 CFR 1954 Supp. 319.37-19 (c)). After due consideration of all relevant matters presented, and under the authority of sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 159, 162), § 319.37-19 (c) is hereby amended in the following respects:

(a) There are deleted from the list of restricted plant material therein the 23 species of *Rhododendron* that are to be grown under postentry quarantine when imported from Europe, Japan, and Siberia.

(b) There is substituted for the deleted material the following item:

<i>Plants to be grown under postentry quarantine</i>	<i>Where imported from</i>
Rhododendron spp., including azaleas (evergreen plants of all species and varieties; and any deciduous species or varieties in foliage).	Europe, Asia, New Zealand, and North America north of the United States-Canadian border. (If the United States Department of Agriculture acquires evidence it considers to be conclusive, indicating that the rust, <i>Chrysomyxa ledi</i> (Alb. & Schw.) d By. var. <i>rhododendri</i> (DC.) Savile (formerly known as <i>C. rhododendri</i> (DC.) d By.), does not occur within any country in the areas named and that it is being prevented entry therein by adequate plant quarantine measures, such plants shall be permitted entry in accordance with the provisions of § 319.37-6.)

The purpose of this amendment is to prevent the likelihood of further introduction into the United States of the rust disease, *Chrysomyxa ledi* (Alb. & Schw.) d By. var. *rhododendri* (DC.) Savile. This will be done by requiring the postentry quarantine growing of all species and varieties of evergreen rhododendrons as well as all deciduous species or varieties of rhododendrons when imported in foliage, if they are imported from the geographical areas designated in the amendment. Deciduous species or varieties not in foliage are excluded from the amendment. If the Department acquires evidence it considers to be conclusive, indicating that this rust does not occur within a country in one of the named areas and upon a finding that the rust is being prevented entry therein by adequate plant quarantine measures, provision will be made for the importation therefrom of such plants without growing under postentry quarantine but in accordance with § 319.37-6.

As a result of comments made since publication of the proposal, a qualifying clause in the amendment has been made to clarify its meaning.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 5, 37 Stat. 316; 7 U. S. C. 159)

This amendment shall become effective May 21, 1956.

Done at Washington, D. C., this 17th day of April 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, April 19, 1956, 8:49 a. m.; 21 F. R. 2589.]

[Copies of the above order were sent to interested governments through American diplomatic and consular officers of the Department of State.]

P. Q.—Q. 37, Amendment

Effective October 26, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—NURSERY STOCK, PLANTS, AND SEEDS

POSTENTRY QUARANTINE

On September 15, 1956, there was published in the Federal Register (21 F. R. 6977) under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making relating to the proposed amendment of § 319.37-19 (c) of

the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds (7 CFR 319.37-19 (c), 21 F. R. 2589). After due consideration of all relevant matters presented, and under the authority of sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 159, 162), § 319.37-19 (c) is hereby amended by revising the item therein relating to "Rhododendron spp., including azaleas (evergreen plants of all species and varieties; and any deciduous species or varieties in foliage)" to read as follows:

Plants to be grown under postentry quarantine

Rhododendron spp., including azaleas (evergreen plants of all species and varieties; and any deciduous species or varieties in foliage).

Where imported from

Europe (except The Netherlands), Asia, New Zealand, and North America north of the United States-Canadian border. (If the United States Department of Agriculture acquires evidence it considers to be conclusive, indicating that the rust, *Chrysomyxa ledi* (Alb. & Schw.) d By. var. *rhododendri* (d By.) Savile (formerly known as *C. rhododendri* (DC.) d By.) does not occur within any country in the areas named and that it is being prevented entry therein by adequate plant quarantine measures, such plants may be permitted entry in accordance with the provisions of § 319.37-6.)

This amendment exempts *Rhododendron* spp. (including azaleas) of the categories designated, imported from The Netherlands, from the list of restricted material that is to be grown under postentry quarantine.

The United States Department of Agriculture has acquired evidence which it considers to be conclusive that the rust, *Chrysomyxa ledi* (Alb. & Schw.) d By. var. *rhododendri* (d By.) Savile, does not occur in The Netherlands and that the rust is being prevented entry therein by adequate plant quarantine measures. Therefore, such *Rhododendron* spp. will be permitted entry in accordance with the provisions of § 319.37-6.

The acquired evidence that is considered to be conclusive includes negative rust surveys in Holland during 1948, 1955, and 1956 by plant pathologists of the Department. Furthermore, the disease has not been observed by either Federal or State inspectors in any Holland-grown azaleas or rhododendrons grown here under postentry quarantine. There are no known authentic reports in world literature of occurrence of the rust in The Netherlands, nor has the rust ever been observed on Holland-grown *Rhododendron* spp. offered for import into the United States. Also, a formal statement has been received from the Phytopathological Service of The Netherlands affirming that this species of rust does not occur in that country and citing the quarantine measures adopted to prevent its entry from other countries. These quarantine measures are deemed adequate.

Since this amendment relieves restrictions, it is within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 5, 37 Stat. 316; 7 U. S. C. 159)

This amendment shall become effective October 26, 1956.

Done at Washington, D. C., this 19th day of October 1956.

[SEAL]

B. T. SHAW,

Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, October 25, 1956, 8:50 a. m.; 21 F. R. 8214.]

[Copies of the above order were sent to interested governments through American diplomatic and consular officers of the Department of State.]

P. Q.—Q. 37, Amendment

Effective December 7, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 319—FOREIGN QUARANTINE NOTICES

SUBPART—NURSERY STOCK, PLANTS, AND SEEDS

POSTENTRY QUARANTINE

On October 25, 1956, there was published in the Federal Register (21 F. R. 8194) under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a

notice of rule making relating to the proposed amendment of § 319.37-19 (c) of the regulations supplemental to the quarantine relating to the importation of nursery stock, plants, and seeds (7 CFR 319.37-19 (c), as amended). After due consideration of all relevant matters presented, and under the authority of sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 159.162), § 319.37-19 (c) is hereby amended by revising the item therein relating to "Rhododendron spp., including azaleas (evergreen plants of all species and varieties; and any deciduous species or varieties in foliage)" to read as follows:

<i>Plants to be grown under postentry quarantine</i>	<i>Where imported from</i>
Rhododendron spp., including azaleas (evergreen plants of all species and varieties; and any deciduous species or varieties in foliage).	Europe (except Belgium and The Netherlands), Asia, New Zealand, and North America north of the United States-Canadian border. (If the United States Department of Agriculture acquires evidence it considers to be conclusive, indicating that the rust, <i>Chrysomyxa ledi</i> (Alb. & Schw.) d By, var. <i>rhododendri</i> (d By.) Savile (formerly known as <i>C. rhododendri</i> (DC.) d By.), does not occur within any country in the areas named and that it is being prevented entry therein by adequate plant quarantine measures, such plants may be permitted entry in accordance with the provisions of § 319.37-6.)

This amendment exempts *Rhododendron* spp. (including azaleas) of the categories designated, imported from Belgium, from the list of restricted material that is to be grown under postentry quarantine.

The United States Department of Agriculture has acquired evidence which it considers to be conclusive that the rust, *Chrysomyxa ledi* (Alb. & Schw.) d By, var. *rhododendri* (d By.) Savile, does not occur in Belgium and that the rust is being prevented entry therein by adequate plant quarantine measures. Therefore, such *Rhododendron* spp. will be permitted entry in accordance with the provisions of § 319.37-6.

The acquired evidence that is considered to be conclusive includes negative rust surveys in Belgium during 1953, 1954, and 1956 by plant pathologists of the Department. Furthermore, the disease has not been observed by either Federal or State inspectors in any Belgian-grown azaleas or rhododendrons grown here under postentry quarantine. There are no known authentic reports in world literature of occurrence of the rust in Belgium, nor has the rust ever been observed on Belgian-grown *Rhododendron* spp. offered for import into the United States. Also, a formal statement has been received from the Belgian Phytopathological Service affirming that this species of rust does not occur in that country and citing the quarantine measures adopted to prevent its entry from other countries. These quarantine measures are deemed adequate.

Since this amendment relieves restrictions, it is within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after publication in the Federal Register.

(Sec. 9. 37 Stat. 318, 7 U. S. C. 162. Interprets or applies sec. 5, 37 Stat. 316, 7 U. S. C. 159)

This amendment shall become effective December 7, 1956, when it shall supersede the amendment of § 319.37-19 (c), effective October 26, 1956.

Done at Washington, D. C., this 4th day of December 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, December 6, 1956, 5:49 a. m.; 21 F. R. 9715.]

[Copies of the above order were sent to interested governments through American diplomatic and consular officers of the Department of State.]

ANNOUNCEMENTS CONCERNING OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

P. Q.—Revised Administrative Instructions
Under Overtime Regulations

Effective June 6, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

REVISED ADMINISTRATIVE INSTRUCTIONS PRESCRIBING COMMUTED TRAVEL TIME ALLOWANCES

Pursuant to the authority conferred upon the Chief of the Plant Quarantine Branch by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective July 15, 1955 (7 CFR Supp. 354.1; 20 F. R. 5054), administrative instructions (7 CFR 1954 Supp. 354.2) effective March 14, 1953, as amended effective August 2, 1955 (7 CFR Supp. 354.2; 20 F. R. 5482), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby revised to read as follows:

§ 354.2 *Administrative instructions prescribing commuted travel time.* Each period of overtime duty, as prescribed in § 354.1 shall, in addition, include a commuted travel time period for the respective ports, stations, and areas in which employees are located, if such travel is performed solely on account of overtime or holiday service, as follows:

ONE HOUR

Aguadilla, P. R. (served from Ramey Air Force Base).
Baton Rouge, La.
Blaine, Wash.
Brownsville, Tex.
Buffalo, N. Y.
Calexico, Calif.
Charlotte Amalie, American Virgin Islands.
Christiansted, American Virgin Islands.
Del Rio, Tex.
Douglas, Ariz.
Eagle Pass, Tex.
El Paso, Tex.
Frederiksted, American Virgin Islands (served from Christiansted).
Galveston, Tex.
Hidalgo, Tex.
Hilo, T. H.
Kahului, Maui, T. H.
Key West, Fla.
Laredo, Tex.
Los Angeles Harbor, San Pedro, Calif.
Memphis, Tenn.
Nogales, Ariz.
Omaha, Nebr.
Pensacola, Fla.
Port Arthur, Tex.
Port Everglades, Fla.
Presidio, Tex.
Progreso, Tex.
Ramey Air Force Base, P. R.
Roma, Tex.
St. Albans, Vt.
St. Paul, Minn.
San Antonio, Tex.
San Juan, P. R.
San Ysidro, Calif.
Texas City, Tex. (served from Galveston, Tex.).
West Palm Beach, Fla.

TWO HOURS

Arlington, Va.
Atlanta, Ga.
Beaumont, Tex. (served from Port Arthur).
Bellingham, Wash. (served from Blaine, Wash.).
Charleston, S. C.
Corpus Christi, Tex.
Dallas, Tex.
Harlingen Air Force Base, Tex. (served from Brownsville, Tex.).
Honolulu, T. H.
Houston, Tex.
Jacksonville, Fla.
La Feria, Tex. (served from Hidalgo, Tex.).
Lantana Airport, Lantana, Fla. (served from West Palm Beach, Fla.).

Lihue, Kauai, T. H.
 Long Beach Harbor and Airport (served from San Pedro, Calif.).
 Miami, Fla.
 Mobile, Ala.
 Moore Air Field (served from Hidalgo, Tex.).
 Niagara Falls, N. Y. (served from Buffalo, N. Y.).
 Norfolk-Newport News, Va.
 Offutt Air Base (served from Omaha, Nebr.).
 Orange, Tex. (served from Port Arthur, Tex.).
 Port Isabel, Tex. (served from Brownsville, Tex.).
 Portland, Oreg.
 St. Helens, Oreg.
 St. Louis, Mo.
 San Francisco, Calif.
 Savannah, Ga.
 Seattle, Wash., and Sea-Tac Airport.
 Sumas, Wash. (served from Blaine, Wash.).
 Tampa, Fla.
 Vancouver, Wash.

THREE HOURS

Anacortes, Wash. (served from Blaine, Wash.).
 Astoria, Oreg. (served from Portland, Oreg.).
 Baltimore, Md.
 Baytown, Tex. (served from Houston, Tex.).
 Beaufort, S. C. (served from Charleston, S. C.).
 Boston, Mass.
 Brunswick, Ga. (served from Savannah, Ga.).
 Carswell Field (Forth Worth), Tex. (served from Dallas, Tex.).
 Cherry Point, S. C. (served from Charleston, S. C.).
 Chicago, Ill.
 Coos Bay, Oreg. (served from Portland, Oreg.).
 Detroit, Mich.
 Everett, Wash. (served from Seattle, Wash.).
 Freeport, Tex. (served from Houston, Tex.).
 Friday Harbor, Wash. (served from Seattle, Wash.).
 Georgetown, S. C. (served from Charleston, S. C.).
 Glynnce Naval Air Station, Ga. (served from Savannah, Ga.).
 Grays Harbor, Wash. (served from Seattle, Wash.).
 Gulfport, Miss. (served from Mobile, Ala.).
 Hopewell, Va. (served from Norfolk-Newport News, Va.).
 Lake Charles, La. (served from Port Arthur, Tex.).
 Longview, Wash. (served from Portland, Oreg.).
 Marfa Air Force Base (served from Presidio, Tex.).
 Mayaguez, P. R. (served from Ramey Air Force Base).
 McChord Air Force Base, Wash. (served from Seattle, Wash.).
 New Orleans, La.
 New York, N. Y. (metropolitan area).
 Olympia, Wash. (served from Seattle, Wash.).
 Panama City, Fla. (served from Pensacola, Fla.).
 Patuxent, Md. (served from Arlington, Va.).
 Philadelphia, Pa.
 Pittsburgh, Pa.
 Port Angeles, Wash. (served from Seattle, Wash.).
 Port Lavaca, Tex.
 Port Townsend, Wash. (served from Seattle, Wash.).
 Rainier, Oreg. (served from Portland, Oreg.).
 Richmond, Va. (served from Norfolk-Newport News, Va.).
 Roosevelt Roads, P. R. (served from San Juan, P. R.).
 St. Albans, Vt. (ports served from, but not including St. Albans).
 Tacoma, Wash. (served from Seattle, Wash.).
 Tucson, Ariz. (served from Nogales, Ariz.).
 Walker Air Force Base (served from El Paso, Tex.).
 Willapa Bay, Wash. (served from Seattle, Wash.).
 Wilmington and other North Carolina ports served from Charleston, S. C.

The purposes of this revision are to delete certain ports and stations where employees are no longer stationed, to add several newly established ports and stations, and to readjust the commuted time allowances at certain other points.

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Branch. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than thirty days after publication in the Federal Register.

These revised administrative instructions shall be effective on and after June 6, 1956, on which date they shall supersede 7 CFR 1954 Supp. 354.2, effective March 14, 1953, as amended effective August 2, 1955 (20 F. R. 5482).

(64 Stat. 561, 5 U. S. C. 576)

Done at Washington, D. C., this 1st day of June 1956.

[SEAL]

H. S. DEAN,

Acting Chief, Plant Quarantine Branch.

[Filed with the Division of the Federal Register, June 5, 1956, 8:52 a. m.; 21 F. R. 3865.]

ANNOUNCEMENTS RELATING TO THE PINK BOLLWORM QUARANTINE (NO. 52)

P. P. C.—Q. 52, Amendment

Effective June 2, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—PINK BOLLWORM

CONDITIONS GOVERNING MOVEMENT OF REGULATED ARTICLES; CLEANING OR TREATING REQUIREMENTS FOR ARTICLES WHEN CONTAMINATED

On April 4, 1956, there was published in the Federal Register (21 F. R. 2142) a notice of proposed rule making concerning amendments of certain regulations supplemental to notice of quarantine No. 52 relating to the pink bollworm. After due consideration of all relevant matters presented, and under the authority of sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), the Administrator of the Agricultural Research Service hereby amends §§ 301.52-5 (1) (2) and 301.52-8 of the regulations supplemental to notice of quarantine No. 52 (7 CFR 301.52-5 (1) (2), 301.52-8, 20 F. R. 4935) to read, respectively, as follows:

§ 301.52-5 *Conditions governing movement of regulated articles.* * * *

(1) *Okra.* * * *

(2) *Edible okra.* (i) Edible okra produced in Texas may be moved under a certificate to any destination during the period December 1 to April 30, inclusive, when produced, handled, and marketed under such conditions as in the judgment of the inspector render it free from infestation.

(ii) Edible okra produced in Texas may be moved to any destination during the period May 1 to November 30, inclusive, under a certificate which may be issued if the okra has been produced, handled, and marketed in such a manner that such movement, in the judgment of the inspector, will not disseminate infestation, or has been treated under the supervision of an inspector in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions applied.

(iii) Edible okra produced in Texas, when suitably identified on the container thereof with a stamp as required by the inspector, may be moved during the period May 1 to November 30, inclusive, without certificate or limited permit to any destination in the noncotton-producing States of Colorado, Connecticut, Delaware, Idaho, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming; or the District of Columbia; or the following cities in cotton-producing States: Chicago, Illinois; Kansas City and Wichita, Kansas; Kansas City and St. Louis, Missouri; and Louisville, Kentucky; for immediate processing or consumption therein.

(iv) Edible okra produced in Texas may be moved therefrom without restriction to destinations in New Mexico and Oklahoma when suitably identified on the container thereof with a stamp as required by the inspector.

(v) Edible okra produced in any other part of the regulated area may be moved without restriction to any destination when produced, handled, and

marketed under such conditions as in the judgment of the inspector render it free from infestation. Otherwise, it must be treated as provided in subdivision (ii) of this subparagraph or must meet the requirements of subdivision (iii) of this subparagraph (other than the requirement of production in Texas).

§ 301.52-8 *Cleaning or treating requirements for articles when contaminated.* Railway cars, trucks, and other means of transportation; bagging and other containers and wrappers for cotton and cotton products; picking, ginning, and oil mill equipment, and other cotton processing machinery and cotton harvesting machinery; other farm equipment; farm household goods; farm products; and any other commodities; which are found to be contaminated with live pink bollworms, or with cotton or cotton products originating within the regulated area or imported thereinto from contiguous areas of Mexico, may be moved from or within the regulated area only after they have been freed from such contamination by cleaning or treatment to the satisfaction of an inspector, after which cleaning or treatment no certificate or limited permit will be required except as prescribed by an inspector for bagging, for other containers and wrappers for cotton and cotton products, and for cotton processing or harvesting machinery. Cotton harvesting machinery or cotton ginning machinery that has been used or otherwise kept within the regulated area will be deemed to be contaminated within the meaning of § 301.52 and may be moved to a nonregulated area or to that part of the regulated area in Arizona, Arkansas, or Louisiana from any part of the regulated area not in one of these three States only if it has been cleaned and given an approved fumigation and is covered by a certificate: *Provided, however,* That approved fumigation of such cotton ginning machinery as a requirement for certification may be waived when in the judgment of the inspector the machinery has been disassembled, cleaned, and reconditioned in such a manner as to preclude the possibility of its harboring seed cotton or live pink bollworms.

The amendment of § 301.52-5 (1) (2) (i) extends for one month the period during which certain edible okra produced in Texas may be moved under certificate. Corresponding changes have been made in § 301.52-5 (1) (2) (ii) and (iii) Provision in § 301.52-5 (1) (2) (ii) for certification of edible okra, for movement after processing under authorized methods, has been eliminated. An amendment of § 301.52-5 (1) (2) (iii) eliminates a previous restriction as to the shipper and manner of shipment of edible okra to certain destinations and adds St. Louis, Missouri to the list of such destinations. A new § 301.52-5 (1) (2) (iv) allows unrestricted movement throughout the year of identifiable Texas-grown edible okra when shipped from Texas to New Mexico or Oklahoma. Former § 301.52-5 (1) (2) (iv) has been redesignated as § 301.52-5 (1) (2) (v) and a reference therein to a processing requirement has been eliminated in conformity with the amended § 301.52-5 (1) (2) (ii). Provisions in § 301.52-5 (1) (2) (i) and (ii) and redesignated (v) have been changed specifically to require as a condition of movement that certain edible okra must have been handled and marketed, as well as produced, under various specified conditions. Section 301.52-8 has been amended to allow waiver of fumigation requirements for certain cotton ginning machinery.

These amendments should be made effective as soon as possible in order to be of maximum benefit in preventing the interstate spread of the pink bollworm and in permitting the movement of edible okra under certain conditions. Good cause is found, therefore, for issuing them effective less than 30 days after publication in the Federal Register, as provided in section 4 of the Administrative Procedure Act (5 U. S. C. 1003).

(Secs. 8, 9, 37 Stat. 318, as amended; 7 U. S. C. 161, 162)

These amendments shall be effective June 2, 1956.

Done at Washington, D. C., this 28th day of May 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, June 1, 1956, 8:55 a. m.; 21 F. R. 3737.]
[Copies of this amendment were sent to the postmasters in the regulated areas through the Post Office Department.]

ANNOUNCEMENTS RELATING TO WHITE-FRINGED BEETLE QUARANTINE (NO. 72)

WHITE-FRINGED BEETLE AREAS REVISED IN ALABAMA, FLORIDA, LOUISIANA, MISSISSIPPI, AND TENNESSEE

(Press Notice)

NOVEMBER 7, 1956.

Fourteen sections in Iberia Parish, La., are removed from the white-fringed beetle regulated areas in administrative instructions effective November 8, the U. S. Department of Agriculture announced today. The instructions also add to the regulated areas for the first time part of Dale County, Ala.; and parts of Copiah, Lincoln, Pike, Scott, and Walthall Counties, Miss.; and increase the size of the regulated areas in Geneva, Houston, and Mobile Counties, Ala.; Jackson County, Fla.; Hinds, Leake and Marion Counties, Miss.; and Shelby and Tipton Counties, Tenn.

A revision of separate administrative instructions exempting certain articles from the white-fringed beetle certification requirements, also effective November 8, provides less stringent conditions for the exemption of forest products, brick, tile, stone, concrete slabs, pipe, building blocks, and cinders. The relaxation on these products is based on insecticidal treatment of the premises where the products originate, to eliminate the grubs that hatch from beetle eggs.

A revision of the white-fringed beetle quarantine and supplementary regulations is also concurrently effective to authorize the designation by the Chief of the Plant Pest Control Branch of regulated areas within already quarantined States.

(In a regulated area, the U. S. Department of Agriculture and cooperating States supervise the movement of plants and other articles that might spread the white-fringed beetle to uninfested areas. The entire States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee are quarantined because of the white-fringed beetle, but only those portions actually infested are designated as regulated areas. The beetle, which does not fly, does the most damage as a grub in the soil, attacking the roots of cotton, tobacco, peanuts, corn, sugarcane, sweetpotatoes, clover, and other field crops.)

Regulated areas in the eight quarantined States, including those added in the November 8 order, now include all or portions of the following counties and parishes: *Alabama*.—Baldwin, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Dallas, Escambia, Geneva, Houston, Jefferson, Lowndes, Marengo, Mobile, Monroe, Montgomery, and Wilcox Counties. *Florida*.—Escambia, Holmes, Jackson, Okaloosa, Santa Rosa, and Walton Counties. *Georgia*.—Baldwin, Ben Hill, Berrien, Bibb, Bleckley, Bulloch, Burke, Candler, Coffee, Crawford, Crisp, Dodge, Emanuel, Fulton, Greene, Houston, Irwin, Jasper, Jefferson, Johnson, Laurens, Macon, Monroe, Montgomery, Newton, Peach, Putnam, Richmond, Screven, Sumter, Taylor, Toombs, Treutlen, Turner, Twiggs, Washington, Wheeler, and Wilkinson Counties. *Louisiana*.—East Baton Rouge, Jefferson, Orleans, Plaquemines, Saint Bernard, Saint Tammany, Tangipahoa, and Washington Parishes. *Mississippi*.—Attala, Clarke, Copiah, Covington, Forrest, George, Greene, Hancock, Harrison, Hinds, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Leake, Lincoln, Marion, Pearl River, Perry, Pike, Rankin, Scott, Simpson, Stone, Walthall, Warren, and Wayne Counties. *North Carolina*.—Anson, Brunswick, Cumberland, Duplin, Edgecombe, Harnett, Jones, Nash, New Hanover, Onslow, Pender, Union, Wake, and Wayne Counties. *South Carolina*.—Beaufort and Fairfield Counties. *Tennessee*.—Hamilton, Hardeman, Shelby, and Tipton Counties.

P. P. C.—Q. 72

Effective November 8, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WHITE-FRINGED BEETLE

REVISION OF QUARANTINE AND REGULATIONS

On August 23, 1956, there was published in the Federal Register (21 F. R. 6333) a notice of the proposed revision of notice of quarantine No. 72 relating to the

white-fringed beetle and of the regulations supplemental to said quarantine (7 CFR 301.72, 301.72-1 et seq.). After due consideration of all relevant matters submitted in connection with the notice, and pursuant to the authority conferred by sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), and sections 1 and 3 of the Insect Pest Act (7 U. S. C. 141, 143), the aforesaid quarantine and regulations are hereby revised to read as follows:

QUARANTINE

Sec.
301.72 Notice of quarantine.

REGULATIONS

Sec.
301.72-1 Definitions.
301.72-2 Designation of regulated areas.
301.72-3 Regulated articles.
301.72-4 Conditions governing interstate movement of certain regulated articles.
301.72-5 Conditions governing the issuance of certificates and limited permits.
301.72-6 Assembly of articles for inspection.
301.72-7 Cancellation of certificates and limited permits.
301.72-8 Inspection of shipments en route.
301.72-9 Disinfecting vehicles, machinery, and other articles.
301.72-10 Shipments for experimental and scientific purposes.
301.72-11 Nonliability of Department.

AUTHORITY: §§ 301.72 to 301.72-11 issued under sec. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161.

§ 301.72 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and after the public hearing required thereby, the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee have been and hereby are continued to be quarantined to prevent the spread of introduced species of the genus *Graphognathus*, commonly known as white-fringed beetles, dangerous insects of foreign origin notoriously injurious to cultivated crops and not heretofore widely prevalent or distributed within and throughout the United States, and under the authority conferred by the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.), supplemental regulations are hereinafter prescribed (§§ 301.72-1 to 301.72-11) governing the movement of white-fringed beetles and carriers thereof. Hereafter (a) live white-fringed beetles in any stage of development, (b) forest, field, nursery, or greenhouse-grown woody or herbaceous plants with roots; (c) soil, compost, manure, peat, muck, clay, sand, or gravel, independent of or in connection with nursery stock, plants, plant products, or other products or articles; (d) grass sod; plant crowns or roots for propagation; true bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured; potatoes (Irish) when freshly harvested; peanuts in shells, peanut shells and peanut hay; (e) uncleaned grass, grain and legume seed; hay (other than peanut hay), straw, seed cotton and cottonseed; (f) scrap metal and junk; brick, tile, stone; concrete slabs, pipes, and building blocks; and cinders; (g) forest products, such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties; (h) railway cars, trucks, and other means of conveyance; construction and maintenance equipment; containers; and other articles of any character whatsoever which by reason of infestation or exposure constitute a hazard of spreading white-fringed beetles as determined in accordance with the supplemental regulations §§ 301.72-1 to 301.72-11, shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States into or through any other State, Territory, or District of the United States, in manner or method or under conditions other than those prescribed in the supplemental regulations, as from time to time amended: *Provided*, That the requirements of this quarantine and of the supplemental regulations, except as otherwise provided in the regulations, are hereby limited to the areas in any quarantined State which may be designated as regulated areas as provided in the regulations, as long as, in the judgment of the Administrator of the Agricultural Research Service, the enforcement of the regulations as to such regulated areas will be adequate to prevent the spread of white-fringed beetles, except that such limitation is further conditioned upon the affected State's providing for and enforcing control of the movement within such State of the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon the State's enforcing

such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of said Administrator, shall be deemed adequate to prevent the spread therefrom within such State of the infestations of said insects: *Provided, further*, That whenever the Chief of the Plant Pest Control Branch shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the supplemental regulations apply, except live white-fringed beetles in any stage of development, making it safe to modify, by making less stringent, the requirements contained in the regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof and for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

REGULATIONS

§ 301.72-1 *Definitions*. For the purpose of the regulations in this subpart the following terms shall be construed, respectively, to mean:

(a) *White-fringed beetle*. Species of the genus *Graphognathus*, in any stage of development.

(b) *Infestation*. The presence of white-fringed beetles.

(c) *Regulated areas*. The counties, parishes, cities, sections, townships, militia districts, and other minor civil divisions, or parts thereof, designated in administrative instructions under § 301.72-2 as regulated areas.

(d) *Nursery stock*. Forest, field, nursery, or greenhouse-grown woody or herbaceous plants with roots.

(e) *Regulated articles*. Products or articles of any character whatsoever, the movement of which is regulated by this quarantine (§ 301.72) and regulations supplemental thereto (§§ 301.72-1 to 301.72-11).

(f) *Inspector*. An inspector of the United States Department of Agriculture.

(g) *Moved (movement, move)*. Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, interstate, directly or indirectly, from a regulated area. "Movement" and "move" shall be construed accordingly.

(h) *Certificate*. A document evidencing compliance with the requirements of this subpart.

(i) *Master certificate*. A document, indicating the quantity and nature of the articles covered thereby, issued by an inspector for use with bulk or lot shipments or regulated articles by rail, boat, or road vehicle, authorizing their movement.

(j) *Limited permit*. A document authorizing the movement of regulated articles to a restricted destination for limited handling, utilization, or processing.

(k) *Dealer-carrier agreement*. A document, constituting an agreement to comply with stipulated quarantine conditions, executed by persons engaged in purchasing, handling, processing, utilizing, or moving regulated articles.

(l) *Administrative instructions*. Documents relating to the enforcement of the provisions in this subpart issued under authority of the provisions thereof by the Chief of the Plant Pest Control Branch, Agricultural Research Service.

(m) *Interstate*. From one State, Territory, or District of the United States into or through another.

§ 301.72-2 *Designation of regulated areas*. The Chief of the Plant Pest Control Branch, shall, from time to time, in administrative instructions promulgated by him, list the counties, parishes, cities, sections, townships, militia districts, and other minor civil divisions, or parts thereof, in the quarantined States, in which infestation of the white-fringed beetle has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate such counties, parishes, cities, sections, townships, militia districts, and other civil divisions or parts thereof, as constituting the regulated areas. Any civil division, or part thereof, so designated shall continue in a regulated status until the Chief of the Plant Pest Control Branch shall have determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the white-fringed beetle therein and

that regulation of such area is not otherwise necessary under this section, and shall have issued administrative instructions revoking the designation of such civil division, or part thereof, as a regulated area.

§ 301.72-3 *Regulated articles*—(a) *White-fringed beetles; removal prohibited, exception.* The removal from any State or Territory to any other State or Territory or the District of Columbia, or from said District to any State or Territory, of live white-fringed beetles, except for scientific purposes, is prohibited by the Insect Pest Act (7 U. S. C. 141). Provisions for the removal of live white-fringed beetles, for scientific purposes, are set forth in § 301.72-10.

(b) *Other regulated articles; movement regulated.* Unless exempted by administrative instructions issued by the Chief of the Plant Pest Control Branch, the movement from any regulated area of any of the following is permitted only under the conditions provided in the regulations in this subpart:

(1) Forest, field, nursery, or greenhouse-grown woody or herbaceous plants with roots.

(2) Soil, compost, manure, peat, muck, clay, sand, or gravel, independent of or in connection with nursery stock, plants, plant products, or other products or articles, except that the movement of processed sand and gravel is not regulated.

(3) Grass sod; plant crowns or roots for propagation; true bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured; potatoes (Irish) when freshly harvested; peanuts in shells, peanut shells and peanut hay.

(4) Uncleaned grass, grain and legume seed; hay (other than peanut hay), straw, seed cotton and cottonseed.

(5) Scrap metal and junk; brick, tile, stone; concrete slabs, pipes, and building blocks; and cinders.

(6) Forest products, such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(7) Other articles of any character whatsoever that might present a hazard of spread of white-fringed beetles.

§ 301.72-4 *Conditions governing interstate movement of certain regulated articles*—(a) *Certificate or limited permit required.* Except as exempted by administrative instructions of the Chief of the Plant Pest Control Branch, or as provided in § 301.72-10, regulated articles designated in § 301.72-3 (b) shall not be moved from any regulated area into or through any point outside thereof unless accompanied by a valid certificate or limited permit issued under § 301.72-5. In issuing such administrative instructions, the Chief of the Plant Pest Control Branch will designate the regulated articles to be exempt from the requirements of the regulations supplemental to the quarantine and set forth any special conditions which qualify certain articles for such exemption.

(b) *Use of certificates on shipments.* Unless exempted by administrative instructions, and except as provided in § 301.72-5 (b) for movement of noncertified shipments under limited permits to designated destinations for processing every container of regulated articles moved from any regulated area shall have securely attached to the outside thereof a certificate issued in compliance with the regulations in this subpart. However, in the case of carload or less-than-carload shipments by freight, express, or truck, either in containers or in bulk, a single master certificate shall be attached to the waybill or invoice. In the case of less-than-carload shipments by freight or express, an additional certificate shall be attached to one of the containers.

(c) *Articles originating outside the regulated areas.* No certificates or limited permits are required for the movement of regulated articles designated in § 301.72-3 (b) which originate outside any regulated area and are moved through or reshipped from any regulated area, when the point of origin is clearly indicated, when the identity has been maintained, and when the articles have been protected while in the regulated area, in a manner satisfactory to the inspector.

(d) *Protecting certified articles.* Subsequent to certification as provided in § 301.72-3 (b), regulated articles must be loaded, handled, and shipped only under such protection and safeguards against infestation as are required by the inspector.

§ 301.72-5 *Conditions governing the issuance of certificates and limited permits*—(a) *Certificates.* Certificates may be issued for the movement from a regulated area of the regulated articles designated in § 301.72-3 (b) under any one of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation.

(2) When they have been examined by an inspector and found to be free of infestation.

(3) When they have been treated under the observation of an inspector and in accordance with methods selected by him from administratively authorized procedures known to be effective under the conditions in which applied.

(4) When grown, produced, manufactured, stored, or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(b) *Limited permits.* Limited permits may be issued by the inspector for the movement from a regulated area of noncertified regulated articles designated in § 301.72-3 (b) to such destinations and consignees as may be authorized and designated by the Plant Pest Control Branch for processing or other safe handling. As conditions of such authorization and designations, persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Plant Pest Control Branch to maintain such safeguards against the establishment and spread of infestation and to comply with such conditions as to maintenance of identity, handling, or subsequent movement of such articles, and to the cleaning or treatment of railway cars, trucks, and other means of conveyance, and containers used in the transportation of such articles, as may be required by the inspector.

(c) *Dealer-carrier agreement.* As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person or firm engaged in producing, purchasing, assembling, exchanging, processing, or transporting such regulated articles originating or stored in regulated areas, may be required to sign a dealer-carrier agreement stipulating that he will carry out any and all conditions, treatments, precautions, and sanitary measures which are deemed necessary by the inspector, including segregation and maintenance of identity, under supervision of the inspector, of all regulated articles.

§ 301.72-6 *Assembly of articles for inspection.* Persons intending to move any of the regulated articles designated in § 301.72-3 (b) shall make application for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation, and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection. All costs, including storage, transportation, and labor incident to inspection, other than the services of the inspector, shall be paid by the shipper.

§ 301.72-7 *Cancellation of certificates or limited permits.* Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or canceled and further certificates or permits for such articles refused by the inspector whenever he determines the further use of such certificates or permits might result in the dissemination of white-fringed beetles.

§ 301.72-8 *Inspection of shipments en route.* Any vehicle, boat, ship, vessel, receptacle, or any other means of transportation, moving interstate which an inspector has probable cause to believe carries or contains any white-fringed beetles, the transportation of which is illegal, or any other regulated article controlled by § 301.72 and the regulations in this subpart shall be subject to inspection by the inspector.

§ 301.72-9 *Disinfesting vehicles, machinery, and other articles.* When in the judgment of the inspector a hazard of spread of white-fringed beetles is involved, thorough cleaning, disinfesting, or other sanitary treatments of railway cars, trucks, other vehicles, machinery, implements, and other articles, will be required by the inspector before they may be moved to points outside the regulated areas.

§ 301.72-10 *Shipments for experimental and scientific purposes.* Live white-fringed beetles may be removed from any State or Territory to any other State or Territory or the District of Columbia, or from said District to any State or Territory, and other articles subject to the requirements of the regulations in this subpart may be moved interstate from any regulated area, for experimental or other scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Plant Pest Control Branch. The container or, if there is none, the article itself shall bear, securely attached to the outside thereof, an identifying tag from the Plant Pest Control Branch.

§ 301.72-11 *Nonliability of Department.* The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the regulations in the this subpart, or for the chemical or mechanical injury of any commodity treated under the regulations in this subpart, other than for the services of the inspector.

This revision authorizes the Chief of the Plant Pest Control Branch to publish, from time to time, in administrative instructions a list of the minor civil divisions or parts thereof, in quarantined States, in which infestation of the white-fringed beetle has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested districts, and to designate such civil divisions or parts thereof as regulated areas. Civil divisions or parts thereof so designated will continue in a regulated status until the Chief of the Plant Pest Control Branch has determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate the infestation therein or that regulation of such areas is not otherwise necessary for quarantine enforcement purposes, and has issued administrative instructions revoking the designation of such civil divisions or parts thereof as regulated areas.

The revision also makes the provisions of these regulations conform as closely as possible in phraseology with similar domestic plant quarantine regulations and makes numerous clarifying changes. Insofar as the revision relates to matters of internal management or makes formal changes, it should be made effective promptly to facilitate enforcement of the white-fringed beetle quarantine and regulations, and insofar as it imposes stricter requirements than heretofore have been enforced, it should be made effective promptly in order to prevent the spread of white-fringed beetles. In these respects good cause is found under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) for making the revision effective less than 30 days after publication in the Federal Register. Insofar as the revision relieves restrictions, it may be made effective less than 30 days after such publication under section 4 (c) of said act.

The foregoing quarantine and regulations shall be effective on and after November 8, 1956, on which date they shall supersede the quarantine and regulations effective March 17, 1949, as amended, effective May 10, 1951, July 5, 1952, September 29, 1953, and April 14, 1955 (7 CFR 301.72; 301.72-1 et seq.).

Done at Washington, D. C., this 5th day of November 1956.

[SEAL]

M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[Filed with the Division of the Federal Register, November 7, 1956, 8:57 a. m.; 21 F. R. 8561.]

[Copies of the foregoing revision and of the following administrative instructions designating regulated areas were sent to all common carriers doing business in or through the affected States; also, through the Post Office Department, to the postmasters in the regulated areas.]

[A notice to the general public concerning both the above revision and the following administrative instructions designating regulated areas was published in the following newspapers: the Birmingham News, Birmingham, Ala., November 16, 1956; the Florida Times-Union, Jacksonville, Fla., November 16, 1956; the New Orleans States and the Times-Picayune, New Orleans, La., November 16, 1956; the Clarion-Ledger, Jackson, Miss., November 17, 1956; and the Knoxville News-Sentinel, Knoxville, Tenn., November 16, 1956.]

P. P. C. 618

Effective November 8, 1956.

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WHITE-FRINGED BEETLE

ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN LOCALITIES AS REGULATED AREAS

On August 23, 1956, there was published in the Federal Register (21 F. R. 6336) a notice of rule making setting forth proposed administrative instructions, under a proposed amendment of the white-fringed beetle quarantine and supplemental regulations, listing counties, parishes, cities, sections, townships, militia districts, and other minor civil divisions, and parts thereof, in the quarantined States, in which infestation of the white-fringed beetle has been determined to exist, or in which it has been determined such infestation is likely to exist, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested.

localities, thereby proposing to designate such counties, and other civil divisions, and parts thereof, as white-fringed beetle regulated areas within the meaning of the provisions in this subpart. After due consideration of all matters presented pursuant to the notice of rule making and pursuant to § 301.72-2 of the regulations supplemental to the white-fringed beetle quarantine, as amended (7 CFR 301.72-2), under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), administrative instructions are hereby issued as follows:

§ 301.72-2a *Administrative instructions designating regulated areas under the white-fringed beetle quarantine and regulations.* Infestations of white-fringed beetles have been determined to exist, in the quarantined States, in the respective counties, parishes, cities, sections, townships, militia districts, and other civil divisions, and parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such civil divisions and parts thereof because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Accordingly, such civil divisions and parts thereof are hereby designated as white-fringed beetle regulated areas within the meaning of the provisions in this subpart:

ALABAMA

Baldwin County. S½ T. 3 S., Rs. 3 and 4 E.; SE¼ T. 3 S., R. 2 E.; Tps. 4 and 5 S., Rs. 3 and 4 E.; E½ Tps. 4 and 5 S., R. 2 E.; Tps. 6 and 7 S., R. 4 E.; E½ T. 7 S., R. 3 E.; E½ and secs. 3, 4, 5, 6, 7, 8, 9, and 10, T. 6 S., R. 3 E.; secs. 1, 2, 3, 10, 11, and 12, T. 6 S., R. 2 E.; secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; secs. 6 and 7, T. 8 S., R. 4 E.; S½ T. 7 S., R. 5 E.; and T. 7 S., R. 6 E.

Clarke County. N½ T. 8 N., R. 3 E., and S½ T. 9 N., R. 3 E., including all of the town of Grove Hill; and all that area lying within the corporate limits of the town of Jackson.

Coffee County. That part of the county lying south of the South line of T. 6 N.

Conecuh County. T. 5 N., Rs. 9, 10, 11, 12, 13, and 14 E.; T. 6 N., Rs. 10, 11, 12, and 13 E.; and those parts of T. 4 N., R. 7 E., T. 5 N., Rs. 7 and 8 E., T. 6 N., Rs. 8 and 9 E., Tps. 7 and 8 N., R. 9 E., and Tps. 7, 8, and 9 N., R. 10 E., lying in Conecuh County.

Covington County. All of Covington County.

Crenshaw County. Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E., and secs. 3, 4, 5, and 6, T. 8 N., R. 18 E., including all of the town of Luverne.

Dale County. Secs. 25 and 36, T. 4 N., R. 25 E.; secs. 28, 29, 30, T. 4 N., R. 26 E.

Dallas County. Tps. 13, 14, 15, 16, and 17 N., Rs. 10 and 11 E.; the N½ of T. 15 N., Rs. 6, 7, 8, and 9 E.; T. 16 N., Rs. 7, 8, and 9 E.

Escambia County. Tps. 1, 2, and 3 N., Rs. 6, 7, and 8 E.; secs. 33, 34, 35, and 36, T. 1 N., R. 10 E., and all area south thereof to the Alabama State line.

Geneva County. All of Geneva County.

Houston County. All of Houston County west of west line of R. 28 E.

Jefferson County. Secs. 17, 18, 19, and 20, T. 18 S., R. 3 W., and that area included within the corporate limits of the city of Birmingham.

Lowndes County. All of T. 14 N., R. 12 E.

Marengo County. Secs. 28, 29, 30, 31, 32, and 33, T. 16 N., R. 3 E.; and secs. 4, 5, 6, 7, 8, and 9, T. 15 N., R. 3 E.

Mobile County. All of Mobile County.

Monroe County. All of Monroe County.

Montgomery County. Tps. 16 and 17 N., Rs. 17, 18, and 19 E.; and that part of T. 18 N., R. 18 E., lying in Montgomery County.

Wilcox County. N½ T. 10 N., Rs. 6, 7, 8, 9, 10, and 11 E.; T. 11 N., Rs. 8, 9, 10, and 11 E.; T. 12 N., Rs. 9 and 10 E.; that part of T. 12 N., R. 8 E., lying south of the Alabama River; and those portions of T. 13 N., Rs. 8 and 9 E., lying east of the Alabama River and south of Pine Barren Creek.

FLORIDA

Escambia County. All of Escambia County.

Holmes County. S½ T. 6 N., R. 15 W., except secs. 18, 19, 30, and 31; NE¼ and secs. 22, 23, and 24, T. 5 N., R. 15 W., including all of the town of Smyrna; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 5 N., R. 14 W.; secs. 29, 30, 31, and 32, T. 6 N., R. 14 W.; and E½ of Tps. 4, 5, 6, and 7 N., R. 18 W.

Jackson County. All of Jackson County east of Cowarts Creek and the Chipola River.

Okaloosa County. That part of the county lying north of the south line of T. 2 N.

Santa Rosa County. All of Santa Rosa County.

Walton County. That part of the county lying north of the south line of T. 3 N.

GEORGIA

Baldwin County. That area included within the corporate limits of the city of Milledgeville, and an area one mile wide beginning at the north corporate limits of Milledgeville extending northerly along U. S. Highway No. 441 with said highway as a centerline for a distance of one mile.

Ben Hill County. That area included within a circle having a 2-mile radius and center at the Ben Hill County Courthouse in Fitzgerald, including all of the city of Fitzgerald.

Berrien County. That area included within the corporate limits of the city of Nashville.

Bibb County. That area included within the Georgia Militia Districts of East Macon, Godfrey, Vineville, Hazzard, and Howard; and that portion of the Georgia Militia District of Rutland lying east of a line beginning at the point where U. S. Highway No. 41 crosses the north boundary of said militia district (Tobesofkee Creek) and running southward along said highway to its junction with Hartley Bridge Road and thence southwestward along said road to the west boundary line of said militia district.

Bleckley County. That area included within the corporate limits of the city of Cochran; and that portion of the Georgia Militia District of Manning included within a boundary

beginning at the intersection of Georgia State Highway 112 and the Bleckley-Twiggs County line, thence northeast along said county line to the intersection of the Bleckley-Twiggs, Wilkinson, and Laurens County lines, thence southeast for a distance of 1 mile along the Bleckley-Laurens County line, and thence northwest to the point of beginning.

Bulloch County. That area included within a circle having a 2-mile radius and center at the Bullocha County Courthouse in Statesboro, including all of the city of Statesboro; and that area included within a circle having a 1-mile radius and center at the Georgia and Florida Railroad depot in Portal, including all of the town of Portal.

Burke County. That area, comprising parts of Georgia Militia Districts numbers 60 and 62, bounded on the east by Fitz Branch, on the south by a line beginning at the intersection of Georgia State Highway 56 and the Hephzibah Road and extending due east to its intersection with Fitz Branch, on the west by Hephzibah Road, and on the north by Brier Creek, including all of the city of Waynesboro.

Candler County. That area included within a circle having a 1½-mile radius and center at the intersection in Metter of Georgia State Highways 23 and 46, including all of the city of Metter.

Coffee County. That area included within the corporate limits of the city of Douglas; an area 2 miles wide beginning at the north corporate limits of the city of Douglas and extending northward along U. S. Highway No. 441 with said highway as a centerline to and bounded on the north by Seventeen Mile Creek; that area included within a circle having a 2-mile radius and center at the Atlanta, Birmingham and Coast Railroad depot in Ambrose, including all of the town of Ambrose; and an area 3 miles wide beginning at a line projected due east and due west from a point on the Georgia and Florida Railroad 1 mile northwest of the railroad depot in Broxton, and extending northwesterly with said railroad as a centerline to and bounded on the north by Georgia State Highway 107.

Crawford County. That area included within a circle having a 1½-mile radius and center at the intersection in Roberta of U. S. Highway No. 80 and Georgia State Highway 7, including all of the city of Roberta and the town of Knoxville.

Crisp County. That area included within the corporate limits of the city of Cordele.

Dodge County. That area included within land lots numbers 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 24, 25, 36, 37, 38, 39, 40, 41, and 42 in the Fifteenth Land District, and land lots numbers 278, 279, 280, 281, 282, 289, 290, 291, 292, 293, 294, 295, 306, 307, 308, 309, 310, 311, and 312 in the Sixteenth Land District, including all of the city of Eastman.

Emanuel County. That area included within a circle having a 1½-mile radius and center at the Union Grove Methodist Church in Georgia Militia District No. 49.

Fulton County. That area included within the corporate limits of the city of East Point.

Greene County. That area included within the corporate limits of the city of Greensboro.

Houston County. That area included with the lower Fifth Georgia Militia District, including all of the city of Warner Robins and all of Robins Air Force Base; an area 2 miles wide beginning north of Perry and bounded on the north by Mossy Creek and extending southward along U. S. Highway No. 41 with said highway as a centerline to and bounded on the south by Georgia State Highway 26, including all of the city of Perry; and an area 2 miles wide beginning north of Clinchfield and bounded on the north by Big Indian Creek and extending southwesterly along the Southern Railway with said railway as a centerline to and bounded on the south by Burnham Branch southwest of Grovania, including all of the communities of Clinchfield and Grovania.

Irwine County. That area included within a circle having a ½-mile radius and center at the intersection in Irwinville of Georgia State Highway 32 and the Jefferson Davis Memorial State Park Road; that area included within a circle having a 2-mile radius and center at the Irwin County Courthouse at Ocilla, including all of the city of Ocilla; an area 1 mile wide bounded on the south and east by the Irwin-Coffee County line and extending northwesterly along the Atlanta, Birmingham and Coast Railroad with said railroad as a centerline for a distance of 1¼ miles beyond the Atlanta, Birmingham and Coast Railroad depot in Wray; and an area 2 miles wide beginning at the Atlanta, Birmingham and Coast Railroad in Georgia Militia District No. 1661 and extending southeasterly along Georgia State Highway 32 with said highway as a centerline to the east boundary of said militia district.

Jasper County. That area included within Georgia Militia Districts numbers 262, 289, and 295; and that portion of Georgia Militia Districts numbers 288 and 291 lying south of Whiteoak and Murder Creeks.

Jefferson County. That area included within the corporate limits of the city of Louisville; and that area included within a circle having a 1-mile radius and center at the Central of Georgia Railway depot in Bartow, including all of the town of Bartow.

Johnson County. That area included within the corporate limits of the city of Wrightsville; and an area 1 mile wide beginning at the west corporate limits of Wrightsville and extending southwesterly along Georgia State Highway 15 with said highway as a centerline to the Ohoopsee River.

Laurens County. Those portions of the Georgia Militia Districts of Dublin, Dudley, and Harvard included within an area 2 miles wide beginning at the west corporate limits of Dublin and extending northwesterly along the Macon, Dublin and Savannah Railroad with said railroad as a center line to the Laurens-Wilkinson and Laurens-Bleckley County lines, including all of the towns of Dudley and Montrose and that portion of Allentown lying in Laurens County; that area included within the corporate limits of the city of Dublin; an area 2 miles wide beginning at the north corporate limits of Dublin and extending northward along Georgia State Highway 29 with said highway as a center line for a distance of 3 miles; and that portion of the Georgia Militia District of Smith lying north of the Macon, Dublin and Savannah Railroad and east of Shaddock Creek.

Macon County. That area lying east of Flint River including the cities of Marshallville and Montezuma; and that area included within the corporate limits of Oglethorpe.

Monroe County. That area included within the corporate limits of the city of Forsyth.

Montgomery County. That area bounded on the east by the Montgomery-Toombs County line, on the south by Rocky Creek, on the west by Georgia State Highway 29, and on the north by Swift Creek; and those areas included within the corporate limits of the city of Mount Vernon and the town of Ailey.

Newton County. That area included within a circle having a 1-mile radius and center at the Porterdale High School, including all of the town of Porterdale.

Peach County. That area included within the Georgia Militia District of Fort Valley, including all of the city of Fort Valley; and that area included within the corporate limits of the town of Bryon.

Putnam County. That area included within the Georgia Militia District of Ashbank.
Richmond County. That portion of the Georgia Militia District of Forest Hills bounded on the south by Raes Creek and Lake Olmsted and on the west by the Berkman Road and a line extended due north from the point of intersection of the Berkman and Washington Roads.

Screven County. That area included within a circle having a 2-mile radius and center at the Screven County Courthouse in Sylvania, including all of the city of Sylvania.

Sumter County. That area included within the corporate limits of the city of Americus; and an area 1 mile wide beginning at the east corporate limits of Americus and extending along U. S. Highway No. 280 with said highway as a center line to Mill Creek.

Taylor County. That area included in the Georgia Militia District of Reynolds, including all of the town of Reynolds; and that area included within a circle having a 2½-mile radius and center at Taylor County Courthouse in Butler, including all of the town of Butler.

Toombs County. That area bounded on the east by the east boundaries of the Georgia Militia Districts of Vidalia and Center, on the south by Rocky Creek, on the west by the Toombs-Montgomery County line, and on the north by Swift Creek, including all of the city of Vidalia.

Treutlen County. That area included within the corporate limits of the city of Soperton; and an area 1 mile wide beginning at the south corporate limits of Soperton and extending southeasterly along Georgia State Highway 29 with said highway as a center line to the Treutlen-Montgomery County line.

Turner County. That area bounded on the east by a line parallel to and ½ mile east of the Sycamore town limits, on the south by a line parallel to and ½ mile south of the Sycamore town limits, on the west by a line parallel to and ½ mile west of the Sycamore town limits, on the north by a line parallel to and ½ mile north of the Sycamore town limits, and the projections of such lines to their intersections, including all of the town of Sycamore; and that part of the Georgia Militia District of Clements included within a circle having a ¾-mile radius and center at the Bethel School.

Twiggs County. That portion of the Georgia Militia District of Higsville bounded on the east by the Twiggs-Wilkinson County line, on the south by the Twiggs-Bleckley County line, on the north by a line parallel to and 3½ miles north of the Twiggs-Bleckley County line, on the west by a line parallel to and 1 mile west of the Twiggs-Wilkinson County line, and the projections of such lines to their intersections, including all of those portions of the towns of Allentown and Danville lying in Twiggs County.

Washington County. That area included within a circle having a 5-mile radius and center at the Washington County Courthouse in Sandersville, including all of the city of Sandersville and the city of Tennille.

Wheeler County. That area included within land lots numbers 40, 41, 42, 43, 48, 49, 50, 51, 70, 71, 72, 73, 78, 79, 80, 81, 100, 101, 102, and 103, in the Eleventh Land District, including all of the town of Alamo.

Wilkinson County. That portion of the Georgia Militia District of Turkey Creek bounded on the west by the Wilkinson-Twiggs County line, on the south by the Wilkinson-Laurens County line, on the east by a line parallel to and 1¾ miles east of the Wilkinson-Twiggs County line, on the north by a line parallel to and 3½ miles north of the Wilkinson-Laurens County line, and the projections of such lines to their intersections, including all of those portions of the towns of Allentown and Danville lying in Wilkinson County.

LOUISIANA

East Baton Rouge Parish. T. 7 S., Rs. 1 and 2 E.

Jefferson Parish. That part lying north of the township line between Tps. 14 and 15 S.

Orleans Parish. All of Orleans Parish, including the city of New Orleans.

Plaquemines Parish. That part lying north of the township lines between Tps. 15 and 16 S.

Saint Bernard Parish. All of Saint Bernard Parish.

Saint Tammany Parish. Secs. 38, 39, and 40, T. 7 S., R. 11 E.; secs. 40 and 41, T. 8 S., R. 11 E.; and that area lying south of the north line of T. 10 N.

Tangipahoa Parish. Secs. 26, 27, 28, 33, 34, and 35, T. 5 S., R. 7 E.; secs. 2, 3, 4, 10, 11, 12, 13, 14, 15, 23, 24, 25, 26, 35, and 36, T. 6 S., R. 7 E.; secs. 19, 30, and 31, T. 6 S., R. 8 E. including all of the town of Hammond; secs. 32, 33, and 50, T. 3 S., R. 7 E.; and secs. 4, 5, 8, 9, 10, 50, and 54, T. 4 S., R. 7 E., including all of the town of Amite.

Washington Parish. All of Tps. 1, 2, 3, and 4 S., R. 14 E.; E½ Tps. 3 and 4 S., R. 13 E.; E½ Tps. 1 and 2 S., R. 13 E.; secs. 23, 24, 25, 34, 36, 44, 45, 46, 47, 48, 51, 52, 53, and 54, T. 2 S., R. 10 E.; secs. 3, 10, 14, 15, 39, 40, 41, 42, 43, 46, 48, 49, 50, and 51, T. 3 S., R. 10 E.; secs. 19, 20, 29, 30, 31, 32, 38, and 39, T. 2 S., R. 11 E.; secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 37, 38, 39, 40, 41, 43, 49, and 50, T. 3 S., R. 11 E.

MISSISSIPPI

Attala County. Secs. 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 14 N., R. 7 E.; secs. 19, 30, and 31, T. 14 N., R. 8 E.; sec. 6, T. 13 N., R. 8 E.; secs. 1 and 2, T. 13 N., R. 7 E.

Clarke County. Secs. 4, 5, 6, 7, 8, and 9, T. 2 N., R. 14 E.; secs. 4, 5, 8, and 9, T. 4 N., R. 15 E.; secs. 6, 7, and 18, T. 2 N., R. 16 E.; sec. 31, T. 3 N., R. 16 E.; secs. 34, 35, and 36, T. 3 N., R. 15 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 2 N., R. 15 E.; W½ T. 1 N., R. 14 E.; and W½ T. 10 N., R. 9 W.

Copiah County. Secs. 32, 33, 34, 35, and 36, T. 1 N., R. 2 W.; secs. 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, T. 10 N., R. 8 E.

Covington County. All of Covington County.

Forrest County. All of Forrest County.

George County. Secs. 27, 28, 29, 32, 33, 34, 35, and 36, T. 1 S., R. 6 W., including all of the town of Lucedale; N½ T. 2 S., R. 6 W., except secs. 6, 7, and 18; secs. 5, 6, 7, 8, 17, and 18, T. 2 S., R. 5 W.; and that part of secs. 31 and 32, T. 1 S., R. 5 W., lying south of Mississippi State Highway 15.

Greene County. Secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 2 N., R. 8 W.

Hancock County. All of Hancock County.

Harrison County. All of Harrison County.

Hinds County. Secs. 2, 3, 4, 9, 10, and 11, T. 7 N., R. 1 W.; E½ T. 6 N., R. 3 W.; W½ T. 6 N., R. 2 W.; and that area within the corporate limits of Jackson.

Jackson County. All of Jackson County.
Jasper County. T. 3 N., R. 10 E.; W $\frac{1}{2}$ T. 2 N., R. 10 E.; secs. 3, 4, 5, 6, 32, 33, and 34. T. 1 N., R. 10 E.; secs. 1, 2, and 3, T. 10 N., R. 13 W.; T. 1 N., R. 13 E.; that portion of T. 10 N., R. 9 W., and the E $\frac{1}{2}$ T. 10 N., R. 10 W. lying in Jasper County.
Jefferson Davis County. All of Jefferson Davis County.
Jones County. All of Jones County.
Lamar County. All of Lamar County.
Lauderdale County. Secs. 1, 12, 13, 14, 22, 23, 24, 26, 27, 34, and 35, T. 6 N., R. 15 E.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 6 N., R. 16 E.; sec. 31, T. 7 N., R. 16 E.; and sec. 36, T. 7 N., R. 15 E., including all of the town of Meridian.
Lawrence County. That part lying east of Pearl River.
Leake County. Secs. 31 and 32, T. 11 N., R. 8 E.; secs. 34, 35, and 36, T. 11 N., R. 7 E.; W $\frac{1}{2}$ T. 10 N., R. 8 E.; and E $\frac{1}{2}$ T. 10 N., R. 7 E.; and T. 9 N., R. 8 E.
Lincoln County. T. 7 N., R. 8 E.; and E $\frac{1}{2}$ T. 7 N., R. 7 E.
Marion County. N $\frac{1}{2}$ T. 3 N., Rs. 17, 18, and 19 W.; T. 4 N., Rs. 17, 18, and 19 W.; T. 5 N., R. 17 W.; and all of T. 5 N., Rs. 18 and 19 W., in Marion County.
Pearl River County. All of Pearl River County.
Perry County. S $\frac{1}{2}$ T. 3 N., Rs. 9, 10, and 11 W.; T. 2 N., R. 9 W.; secs. 5 and 6, T. 4 N., R. 9 W.; secs. 1 and 2, T. 4 N., R. 10 W.; secs. 25, 26, 35, and 36, T. 5 N., R. 10 W.; secs. 29, 30, 31, and 32, T. 5 N., R. 9 W.
Pike County. Secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 3 N., R. 8 E.; secs. 31 and 32, T. 4 N., R. 8 E., and secs. 34, 35, and 36, T. 4 N., R. 7 E.
Rankin County. T. 3 N., Rs. 2 and 3 E.; T. 4 N., Rs. 1 and 2 E., Tps. 5 and 6 N., Rs. 1 and 2 E.
Scott County. W $\frac{1}{2}$ T. 8 N., R. 8 E.; and secs. 3, 4, 5 and 6, T. 7 N., R. 8 E.
Simpson County. Tps. 9 and 10 N., Rs. 17, 18, and 19 W.; T. 1 N., Rs. 4, 5, and 6 E.; T. 2 N., Rs. 3, 4, and 5 E.
Stone County. All of Stone County.
Walshall County. Secs. 23, 24, 25, 26, 35, and 36, T. 2 N., R. 10 E.; N $\frac{1}{2}$ T. 1 N., R. 11 E., N $\frac{1}{2}$ T. 1 N., R. 12 E.; S $\frac{1}{2}$ T. 2 N., R. 11 E.; S $\frac{1}{2}$ T. 2 N., R. 12 E.
Warren County. All that area lying within the corporate limits of the city of Vicksburg, and that area included within a boundary beginning at a point where Halls Ferry Road intersects the corporate limits of the city of Vicksburg, then southeast along said road to the point of its intersection with the range line between Rs. 3 and 4 E., thence south along the range line to the SE. corner sec. 42, T. 15 N., R. 3 E., thence west along the section line to the Mississippi River, thence north along the east bank of the Mississippi River to said corporate limits, and thence along the south corporate limits to the point of beginning.
Wayne County. Secs. 19, 20, 29, 30, 31, and 32, T. 7 N., R. 5 W.; secs. 24, 25, and 36, T. 7 N., R. 6 W.; secs. 6, 7, and 18, T. 8 N., R. 6 W.; secs. 1, 2, 11, 12, 13, and 14, T. 8 N., R. 7 W.

NORTH CAROLINA

Anson County. An area 2 miles wide beginning at the Anson-Union County line and extending easterly along the Seaboard Air Line Railroad with said railroad as a center line to a due north-south line projected through the point of intersection of said railroad with the east corporate limits of Polkton, including all of the towns of Peachland and Polkton.

Brunswick County. All of Eagles Island.

Cumberland County. That area included within a circle having a 4 $\frac{1}{2}$ -mile radius and center at the Atlantic Coast Line Railroad depot in Hope Mills, including all of the town of Hope Mills and all of the communities of Cumberland and Roslin.

Duplin County. That area included within the corporate limits of the town of Warsaw; and an area 2 miles wide beginning at a line projected northeast and southwest along and beyond the north corporate limits of Warsaw and extending northwesterly along U. S. Highway No. 117 with said highway as a center line for a distance of 3 miles.

Edgecombe County. That portion of the city of Rocky Mount lying in Edgecombe County.

Harnett County. An area 4 miles wide bounded on the north by the Harnett-Wake County line and extending along U. S. Highway No. 15-A with said highway as a centerline for a distance of 5 miles.

Jones County. An area 2 miles wide beginning at a line projected due east and due west at the Atlantic Coast Line siding at Ravenswood, approximately 1 $\frac{1}{2}$ miles south of the Atlantic Coast Line Railroad depot in Pollocksville, and extending southerly with said railroad as a centerline for a distance of 3 miles.

Nash County. That portion of the city of Rocky Mount lying in Nash County.

New Hanover County. That area included within the corporate limits of the city of Wilmington; all of Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all of the town of Winter Park; and all that part of Masonboro Township lying north of the Sunset Park-Winter Park Road.

Onslow County. That area 3 $\frac{1}{2}$ miles wide extending along U. S. Highway 17 with said highway as a centerline from Southwest Creek on the south to Starky Creek on the north, including all of the city of Jacksonville; and all of that portion of Onslow County included within the boundaries of the Camp Lejeune Marine Base.

Pender County. All of that portion of Pender County lying west of a line parallel to and 8 miles west of the Pender-Onslow County line.

Union County. An area 2 miles wide beginning at a line projected due north and due south from a point where the west corporate limits of Marshville intersect the Seaboard Air Line Railroad and extending easterly with said railroad as a centerline to the Union-Anson County line, including all of the town of Marshville.

Wake County. An area 4 miles wide bounded on the east by a line projected due north and due south for 2 miles on each side of the point of intersection of U. S. Highway No. 15-A and the Norfolk Southern Railway, approximately 1 $\frac{1}{2}$ miles east of the Norfolk Southern Railway depot in Fuquay Springs, and extending westerly and southwesterly along U. S. Highway No. 15-A with said highway as a center line to the Wake-Harnett County line, including all of the town of Fuquay Springs.

Wayne County. All of Goldsboro Township, including all of the city of Goldsboro; an area 2 miles wide beginning at the west boundary of Goldsboro Township and ex-

tending northwesterly along U. S. Highway No. 70 with said highway as a center line to the Wayne-Johnston County line; an area 2 miles wide beginning at the north boundary of Goldsboro Township and extending northerly along the Atlantic Coast Line Railroad with said railroad as a center line to the Wayne-Wilson County line, including all of the towns of Pikesville and Fremont; and an area bounded on the north by the Atlantic and East Carolina Railway, on the west by Stony Creek, on the south by the Neuse River, and on the east by a line beginning at the junction of U. S. Highway No. 70 and North Carolina State Highway 111 and extended due north and due south to its intersections with the north and south boundaries, including all of Seymour Johnson Field.

SOUTH CAROLINA

Beaufort County. That area bounded on the east by Wimbee Creek and Bull River, on the south by Whale Branch and the Coosaw River, on the west by Haulover Creek, and on the north by a line parallel to and one-half mile north of the Seaboard Air Line Railroad between Wimbee and Haulover Creeks.

Fairfield County. That area included within a circle having a 2-mile radius and center at the intersection of South Carolina State Highways 22 and 227, approximately $5\frac{1}{2}$ miles northwest of the city of Winnsboro.

TENNESSEE

Hamilton County. That area included within a circle having a $\frac{1}{2}$ -mile radius and center at the office of the Shell Oil Corporation bulk plant located on Jersey Pike Road.

Hardeman County. That area included within a circle having a 3-mile radius and center at the courthouse in Bolivar.

Shelby County. All of Shelby County.

Tipton County. That area within the corporate limits of the town of Mason and that area within a $\frac{1}{2}$ -mile radius on the east, north, and west, and to the Shelby County line on the south with the center at E. L. Reed homeplace.

These administrative instructions shall become effective November 8, 1956.

The instructions list the localities that are regulated under a revision of the white-fringed beetle notice of quarantine and supplemental regulations that is to become effective as soon as possible. They add to the regulated areas for the first time part of Dale county, Alabama; and parts of Copiah, Lincoln, Pike, Scott, and Walthall counties, Mississippi; and increase the size of the regulated areas in Geneva, Houston, and Mobile counties, Alabama; Jackson county, Florida; Hinds, Leake and Marion counties, Mississippi; and Shelby and Tipton counties, Tennessee. Fourteen sections in Iberia Parish, Louisiana are removed from the regulated areas.

The regulations and instructions must be made concurrently effective in order to carry out the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), good cause is found for making the instructions effective less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 1st day of November 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, November 7, 1956, 8:57 a. m.; 21 F. R. 8564.]

P. P. C. 485, 2d Revision

Effective November 8, 1956

TITLE 7—AGRICULTURE

CHAPTER III—AGRICULTURAL RESEARCH SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—WHITE-FRINGED BEETLE

REVISED ADMINISTRATIVE INSTRUCTIONS EXEMPTING CERTAIN ARTICLES FROM CERTIFICATION REQUIREMENTS

On August 23, 1956, there was published in the Federal Register (21 F. R. 6336), a notice of rule making setting forth proposed administrative instructions exempting certain articles from requirements of the regulations supplemental to White-Fringed Beetle Quarantine No. 72 (7 CFR 301.72). After due consideration of all matters presented, and pursuant to the authority conferred on him by the second proviso of the white-fringed beetle quarantine (Notice of Quarantine No. 72, 7 CFR 301.72), under section 8 of the Plant Quarantine Act of 1912 (7 U. S. C. 161), the Chief of the Plant Pest Control Branch hereby

issues revised administrative instructions exempting certain regulated articles from the certification and permit requirements of §§ 301.72-4 and 301.72-5 of the regulations supplemental to the said notice of quarantine (7 CFR 301.72-4, 301.72-5), such administrative instructions to appear as § 301.72a in Title 7, Code of Federal Regulations, as follows:

§ 301.72a *Administrative instructions exempting certain articles from requirements of regulations.* The Chief of the Plant Pest Control Branch has found that facts exist as to the pest risk involved in the movement of the following regulated articles making it safe to modify, by making less stringent, the requirements of the regulations supplemental to the white-fringed beetle quarantine as follows:

(a) The movement of the following articles, when they are free of soil, or when they have not been exposed to infestation, or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector, is hereby exempted from the certification and permit requirements of §§ 301.72-4 and 301.72-5 of the regulations supplemental to the white-fringed beetle quarantine:

- (1) Hay and straw, except that peanut hay is not exempt.
- (2) Uncleaned grass, grain, and legume seed.
- (3) Seed cotton and cottonseed.

(4) Potatoes (Irish) when freshly harvested, grown in the regulated areas in Baldwin or Escambia Counties, Alabama; or Escambia County, Florida.

(b) The movement of the following articles, when they meet the requirements of paragraph (a) of this section or when the storage yards or premises and environs thereof have been surface treated with an insecticide, at dosages administratively approved and at intervals prescribed by the inspector, is hereby exempted from the certification and permit requirements of §§ 301.72-4 and 301.72-5 of the regulations supplemental to the white-fringed beetle quarantine:

(1) Forest products, such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(2) Brick, tile, stone; concrete slabs, pipe, building blocks; and cinders.

These amended administrative instructions shall be effective on November 8, 1956, and on that date shall supersede P. P. C. 485, as revised effective May 20, 1954 (7 CFR 301.72a).

This amendment exempts the same articles as heretofore, but provides a less stringent condition for the exemption of forest products, brick, tile, stone, concrete slabs, pipe, and building blocks, and cinders and also relieves restrictions in other respects. It may therefore be made effective under section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) less than 30 days after publication in the Federal Register.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 1st day of November 1956.

[SEAL]

E. D. BURGESS,
Chief, Plant Pest Control Branch.

[Filed with the Division of the Federal Register, November 7, 1956, 8: 57 a. m.; 21 F. R. 8563.]

LIST OF CURRENT QUARANTINES AND OTHER RESTRICTIVE ORDERS AND MISCELLANEOUS REGULATIONS

[The domestic and foreign quarantine and other restrictive orders summarized herein are issued under the authority of the Plant Quarantine Act of Aug. 20, 1912, as amended, and the Insect Pest Act of March 3, 1905. The Mexican border regulations and the export-certification regulations are issued under specific acts of Congress.]

QUARANTINE ORDERS

The numbers assigned to these quarantines indicate merely the chronological order of issuance of both domestic and foreign quarantines in one numerical series. The quarantine numbers missing in this list are quarantines which have either been superseded or revoked. For convenience of reference these quarantines are here classified as domestic and foreign, the domestic quarantines being divided into (1) those applying primarily to the continental United States, and (2) those applying primarily to shipments from and to Hawaii, Puerto Rico, and the Virgin Islands of the United States.

DOMESTIC PLANT QUARANTINES

QUARANTINES APPLYING TO THE CONTINENTAL UNITED STATES

Black stem rust.—Quarantine 38 and supplemental regulations, revised, effective May 1, 1949, as amended effective February 11, 1950, and September 20, 1951, prohibit the interstate movement anywhere in the continental United States of all species of berberis, mahonia, and mahoberberis plants, other than those designated as being resistant to the black stem rust. Permits are required for interstate movement of plants of those species of berberis, mahonia, and mahoberberis that are known to be rust-resistant. The interstate movement of all seeds and fruits of berberis, mahonia, and mahoberberis is prohibited into the eradication States, comprising Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, *except* that an approved nurseryman within an eradication State may obtain mahonia seed from another approved nurseryman outside such State under prescribed safeguards. Such seeds and fruits from rust-resistant plants produced in the eradication States may be moved between or from such States under permit, or wherever produced, may be moved between noneradication States without restriction. Administrative instructions, revised July 3, 1956, designate rust-resistant species and varieties.

Gypsy moth and brown-tail moth.—Quarantine No. 45, revised, effective July 20, 1956: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area to or through any point outside thereof of (1) live gypsy moths or brown-tail moths in any stage of development; (2) timber and timber products; (3) plants having persistent woody stems (including deciduous trees and shrubs and Christmas trees), and parts thereof; (4) stone and quarry products; and (5) any aircraft, trucks, wagons, railway cars, boats, and other means of conveyance, containers and products and articles of any character whatsoever which by reason of infestation or exposure constitute a hazard of spreading the gypsy moth or the brown-tail moth. The regulated area covers Connecticut, Massachusetts, Rhode Island, and parts of the States of Maine, New Hampshire, New York, and Vermont.

Japanese beetle.—Quarantine No. 48, revised, effective July 24, 1954: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement of (1) soil, humus, compost, and decomposed manure; (2) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (3) fresh fruits and vegetables, and (4) trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers that present a hazard of spread of the Japanese beetle, from the regulated area to or through any point outside thereof. The regulated area includes the entire States of Massachusetts, Rhode Island, Connecticut, New Jersey, and Delaware, and the District of Columbia, and portions of the States of Maine, New Hampshire, North Carolina, Vermont, New York, Pennsylvania, Maryland, Virginia, West Virginia, and Ohio.

Pink bollworm.—Quarantine No. 52, revised, effective July 12, 1955: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated areas of Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, and Texas of (1) okra and kenaf, including all parts of the plants; (2) cotton and wild cotton, including all parts of both cotton and wild cotton plants, seed cotton, cotton lint, linters, waste products, including motes; derived from the milling of cottonseed, gin waste, gin trash, all other forms of unmanufactured cotton fiber, cottonseed, cottonseed hulls, cottonseed cake, and cottonseed meal; (3) bagging and other containers and wrappers for cotton and cotton products; (4) railway cars, trucks, and other means of transportation which have been used in conveying regulated cotton or cotton products or which are contaminated therewith or with live pink bollworms; and (5) when contaminated with live pink bollworms or regulated cotton or cotton products, any other commodities, including picking, ginning, and oil mill equipment and other cotton processing machinery and cotton harvesting machinery, other farm equipment, farm household goods, and farm products.

White pine blister rust.—Quarantine No. 63, effective July 1, 1946: Except as provided in the rules and regulations supplemental thereto, effective July 1, 1946, April 25, 1952, and September 30, 1955, (1) prohibits the movement of five-leaved pines into the noninfected States of Arizona, Colorado, Nevada, New Mexico, Utah, and the noninfected part of California, from any other State, although

(a) five-leaved pines may be moved without restriction between these noninfected States and portions thereof when they have originated therein, and (b) there are no restrictions on the movement of five-leaved pines and parts thereof when not visibly infected with blister rust into or within that part of the continental United States outside the above-described noninfected area; (2) prohibits the movement of European black currants, except into and between the States of Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; (3) prohibits the movement of gooseberry and currant plants (other than European black currants) into parts of California, Georgia, Idaho, Maine, Montana, New Hampshire, New Jersey, New York, Tennessee, and West Virginia; and (4) restricts the movement of gooseberry and currant plants (other than European black currants) into control-areas comprising Connecticut, Delaware, Maryland, Massachusetts, Rhode Island, and Vermont, and parts of Michigan, Minnesota, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

Mexican Fruitfly.—Quarantine No. 64, revised, effective November 26, 1945: Prohibits, except as provided in the rules and regulations supplemental thereto, revised, effective November 26, 1945, the interstate movement from the regulated area of Texas of fruits of all varieties.

White-fringed beetle.—Quarantine No. 72 revised, effective November 8, 1956: Prohibits, except as provided in the regulations supplemental thereto, the interstate movement from the regulated areas in the States of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, to or through any point outside thereof, of (1) live white-fringed beetles in any stage of development; (2) soil independently or in connection with nursery stock, plants, or other things; (3) nursery stock and other stipulated plants or plant products; and (4) other articles as stipulated in § 301.72-3.

Khpra beetle.—Quarantine No. 76, effective February 21, 1955: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from a regulated area to or through any point outside thereof of (1) all grains and grain products (including, but not limited to, barley, corn, oats, rye, and wheat) whether moved as such or in connection with other articles; (2) dried seeds and seed products of field and vegetable crops (including, but not limited to, alfalfa seed, cottonseed, cottonseed meal and cake, flax seed, sorghum seed, soybean meal, pinto beans, and black-eyed peas); (3) bags and bagging (including, but not limited to, those made of burlap or cotton); (4) dried milk, dried blood, fish meal, and meat scraps; and (5) any other article which by reason of infestation or exposure constitutes a hazard of spreading the khpra beetle. Premises in the States of Arizona, California, and New Mexico under regulation on December 31, 1955, were designated in a fourth revision of administrative instructions effective November 27, 1956, and a supplement thereto effective December 13, 1956.

European chafer.—Quarantine No. 77, effective September 1, 1955: Prohibits, except as provided in the rules and regulations supplemental thereto, the interstate movement from the regulated area to or through any point outside thereof of (1) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; (2) sand, soil, gravel, humus, compost, and decomposed manure, moved independently or in connection with nursery stock or other products or articles; and (3) trucks, wagons, railway cars, aircraft, boats, and other means of conveyance and containers and other products and articles of any character whatsoever that might present a hazard of spread of the European chafer. Regulated areas in parts of Connecticut, New York, and West Virginia are designated in administrative instructions effective September 1, 1955.

Mediterranean fruitfly.—Quarantine No. 78, effective May 16, 1956: Prohibits, except as provided in the regulations supplemental thereto, the interstate movement from the regulated areas of Florida of (1) live Mediterranean fruitflies in any stage of development; (2) fruits and vegetables, and other garden and orchard products of all kinds; (3) sand, soil, earth, peat, compost, and manure; and (4) fruit-picking equipment; trucks, wagons, cars, aircraft, boats, and other means of conveyance and containers which have been or are being used in conveying fruits or vegetables; other products and articles, including nursery stock, which have been associated with the production of, or commerce in, fruits and vegetables, or have been or are contaminated with sand, soil, earth, peat, compost, or manure; and, unlimited by the foregoing, any other products and articles of any character whatsoever; when it is determined in accordance with the regulations supplemental hereto that they present a hazard of spread of the Mediterranean fruitfly.

QUARANTINES APPLYING TO HAWAII, PUERTO RICO AND THE VIRGIN ISLANDS OF THE UNITED STATES

Hawaiian fruits and vegetables.—Quarantine No. 13, revised, effective February 12, 1954, as amended effective June 9, 1955, prohibits, except as provided in the rules and regulations supplemental thereto, amended effective March 18, 1954, the movement from the Territory of Hawaii into or through the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States of all fruits and vegetables, in the natural or raw state, peels of fruits of all genera, species, and varieties of the subfamilies *Aurantioideae*, *Rutoideae*, and *Toddalioideae*, of the botanical family *Rutaceae*; cut flowers; rice straw; and mango seeds to prevent the spread of the Mediterranean fruitfly (*Ceratitis capitata* Hendl.), melon fly (*Dacus cucurbitae* Coq.). Oriental fruitfly (*Dacus dorsalis* Hendl.), citrus canker (*Xanthomonas citri* (Hassée) Dowson), green coffee scale (*Coccus viridis* Green), bean pod borer (*Maruca testulalis* Geyer), bean butterfly (*Lampides boeticus* L.), Asiatic rice borer (*Chilo simplex* Butl.), mango weevil (*Cryptor hynchus mangifera* F.), and Chinese rose beetle (*Adoretus sinicus* Burn.).

Sugarcane.—Quarantine No. 16, revised, effective February 12, 1954: Prohibits the movement from Hawaii, Puerto Rico, and the Virgin Islands of the United States into or through any other Territory, State, or District of the United States of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that movement will be allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their movement will involve no pest risk. The prohibitions do not apply to the movement of such products from the Virgin Islands to Puerto Rico.

Sweetpotato.—Quarantine No. 30, revised, effective February 12, 1954: Prohibits the movement from the Territories of Hawaii, Puerto Rico, and the Virgin Islands of the United States into or through any other Territory, State, or District of the United States of any variety of sweetpotato (*Ipomoea batatas* Poir.); regardless of the use for which the same is intended, on account of the sweetpotato stem borer (*Omphisa anastomosalis* Guen.) and the sweetpotato scarabee (*Euscepes batatae* Waterh.). This prohibition does not apply to the movement under permit to designated northern United States ports of sweetpotatoes from Puerto Rico or the Virgin Islands that have been given certain approved fumigation, nor to the movement of sweetpotatoes in either direction between Puerto Rico and the Virgin Islands.

Territorial cotton, cottonseed, and cottonseed products.—Quarantine No. 47, effective June 13, 1952: Prohibits, except as provided in the rules and regulations supplemental thereto, the movement of all parts and products of plants of the genus *Gossypium*, such as seeds, including seed cotton; cottonseed; cotton lint, linters, and other forms of cotton fiber; cottonseed hulls, cake, meal, and other cottonseed products, except oil; cotton waste; and all other unmanufactured parts of cotton plants; and all second-hand burlap and other fabric which have been used, or are of the kinds ordinarily used, for wrapping or containing cotton, from the Territory of Hawaii, Puerto Rico, and the Virgin Islands of the United States on account of the pink bollworm of cotton (*Pectinophora gossypiella* Saunders) and the cotton blister mite (*Eriophyes gossypii* Banks).

Fruits and vegetables from Puerto Rico or Virgin Islands.—Quarantine No. 58, revised, effective February 12, 1954: Prohibits, except as provided in the rules and regulations supplemental thereto, the movement from Puerto Rico and the Virgin Islands of the United States into or through any other Territory, State, or District of the United States of all fruits and vegetables in the raw or unprocessed state on account of certain injurious insects, including the fruitflies *Anastrepha suspensa* (Loew) and *A. mombinpraeoptans* Sein, and bean-pod borer *Maruca testulalis* (Geyer).

Sand, soil, or earth, with plants from Territories and Insular Possessions.—Quarantine No. 60, revised, effective February 12, 1954: Prohibits the movement from Hawaii, Puerto Rico, and the Virgin Islands of the United States into or through any other Territory, State, or District of the United States of sand (other than clean ocean sand), soil, or earth around the roots of plants to prevent the spread of certain injurious insects, including *Phyllophaga* spp. (white grubs), *Phytalus* sp., *Adoretus* sp., and of several species of termites or white ants. Provision is made for the retention of potted plants on board vessels from Hawaii, Puerto Rico, and the Virgin Islands of the United States when

evidence is presented satisfactory to the plant quarantine inspector that the soil has been so treated or is so safeguarded as to eliminate pest risk.

Hawaiian citrus nursery stock.—Quarantine No. 75, effective February 12, 1954: Prohibits the movement from the Territory of Hawaii into or through the continental United States, Alaska, Puerto Rico, or the Virgin Islands of the United States of plants or any plant part, except fruits and seeds, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddaliodeae of the botanical family Rutaceae, on account of the citrus canker disease and other citrus diseases.

FOREIGN PLANT QUARANTINES

Foreign cotton and covers quarantine.—Quarantine No. 8, revised effective December 23, 1955: Forbids the importation from all foreign countries and localities, except as provided in supplementary regulations, of (1) any parts or products of plants of the genus *Gossypium*, including seed cotton; cottonseed; cotton lint, linters, and other forms of cotton fiber (not including yarn, thread, and cloth); cottonseed hulls, cake, meal, and other cottonseed products, except oil; cotton waste, including gin waste and thread waste; and any other unmanufactured parts of cotton plants; and (2) second-hand burlap and other fabrics, shredded or otherwise, which have been used, or are of the kinds ordinarily used, for containing cotton, grains (including grain products), field seeds, agricultural roots, rhizomes, tubers, or other underground crops, because of the pink bollworm (*Pectinophora gossypiella* (Saund.)), the golden nematode of potatoes (*Heterodera rostochiensis* Wr.), the flag smut disease (*Urocystis tritici* Koern.), and other injurious plant diseases and insect pests.

Seeds of avocado or alligator pear.—Quarantine No. 12, effective February 27, 1914: Forbids the importation from Mexico and the countries of Central America of the seed of the avocado or alligator pear on account of the avocado weevil (*Heilipus lauri*).

Sugarcane.—Quarantine No. 15, revised, effective October 1, 1934: Prohibits the importation from all foreign countries and localities of canes of sugarcane, or cuttings or parts thereof, sugarcane leaves, and bagasse, on account of certain injurious insects and diseases of sugarcane, except that importation will be allowed under permit of specific materials on condition that they have been or are to be so treated, processed, or manufactured that, in the judgment of the Department, their entry will involve no pest risk.

Citrus nursery stock.—Quarantine No. 19, revised, effective September 15, 1947, as amended effective September 5, 1952: Forbids the importation into the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States from all foreign localities and countries of plants or any plant part, except fruits and seed, of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddaliodeae, of the botanical family Rutaceae, from Europe, Asia, Africa, South America, Central America, North America outside of the United States, Australia, and foreign oceanic countries and islands.

Indian corn or maize and related plants.—Quarantine No. 24, effective July 1, 1916, as amended, effective April 1, 1917, and April 23, 1917: Forbids the importation from southeastern Asia (including India, Siam, Indochina, and China), Malayan Archipelago, Australia, New Zealand, Oceania, Philippine Islands, Taiwan (Formosa), Japan, and adjacent islands, in the raw or unmanufactured state, of seed and all other portions of Indian corn or maize (*Zea mays* L.) and the closely related plants, including all species of Teosinte (*Euchlaena*), Jobsteas (*Coix*), Polytoca, Chionachne, and Schlerachne, on account of the downy mildews and Physoderma diseases of Indian corn, except that Indian corn or maize may be imported under permit and upon compliance with the conditions prescribed in the regulations of the Secretary of Agriculture.

Citrus fruits.—Quarantine No. 28, effective October 25, 1947, as amended effective December 16, 1949, September 5 and November 21, 1952: Forbids the importation into the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States of all fruits and peel of all genera, species, and varieties of the subfamilies Aurantioideae, Rutoideae, and Toddaliodeae of the botanical family Rutaceae from eastern and southeastern Asia (including India, Burma, Ceylon, Siam, Indochina, and China), the Malayan Archipelago, the Philippine Islands, Oceania (except Australia and Tasmania), Japan (including Formosa and other islands adjacent to Japan); Mauritius, and Seychelles, on account of the citrus canker disease; forbids the importation

into the continental United States, Alaska, Puerto Rico, Hawaii, and the Virgin Islands of the United States of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. hystrix* DC., *C. limon* (L.) Burm. f., *C. paradisi* Macf., *C. reticulata* Blanco, *C. sinensis* (L.) Osbeck and *Fortunella margarita* (Lour.) Swingle, from Argentina, Brazil, Paraguay, and Uruguay, on account of sweet orange scab; and forbids the importation into the continental United States, Alaska, Puerto Rico, Hawaii, and the Virgin Islands of the United States of fruits and peel of all genera, species, and varieties of *Citrus aurantifolia* (Christm.) Swingle, *C. aurantium* L., *C. limon* (L.) Burm. f., *C. medica* L., and *C. sinensis* (L.) Osbeck, from Argentina, Paraguay, and Uruguay, on account of the bacterial disease known as "Cancrosis B": *Provided*, that seeds and processed peel of fruits designated herein are excluded from the provisions of this quarantine. Such seeds, however, are subject to the requirements of Nursery Stock, Plant, and Seed Quarantine No. 37. Importation into Alaska of oranges of the mandarin class grown in Japan are allowed under permit and other requirements.

Sweetpotato and yam.—Quarantine No. 29, effective January 1, 1918, as amended effective September 5, 1952: Forbids the importation into the continental United States for any purpose of any variety of sweetpotatoes and yams (*Ipomoea batatas* and *Dioscorea* spp.) from all foreign countries and localities, on account of the sweetpotato weevils (*Cylas* spp.) and the sweetpotato scarabee (*Euscepes batatae*).

Bamboo.—Quarantine No. 34, effective October 1, 1918: Forbids the importation for any purpose of any variety of bamboo seed, plants, or cuttings thereof capable of propagation, including all genera and species of the tribe Bambuseae, from all foreign countries and localities, on account of dangerous plant diseases, including the bamboo smut (*Ustilago shiraiana*). This quarantine order does not apply to bamboo timber, consisting of the mature dried culms or canes which are imported for fishing rods, furniture making, or other purposes, or to any kind of articles manufactured from bamboo, or to bamboo shoots cooked or otherwise preserved.

Nursery stock, plants, and seeds.—Quarantine No. 37, effective December 5, 1950, as amended effective July 1, 1950, and September 5, 1952: Forbids the importation into the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States from designated countries of certain nursery stock and other plants and plant products specified in the quarantine because of the respective injurious insects and plant diseases listed. Restricts the importation from any foreign country or locality of nonprohibited field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, and fruit pits and other seeds of forest, fruit, and ornamental trees and shrubs; bedding plants; other herbaceous plants, bulbs, and roots; field, vegetable, and flower seeds; and other plants and plant products for, or capable of, propagation, except as provided in supplemental regulations.

Permits are required for importation of all restricted plant material. Permits are not required for such material, other than *Aglaonema*, imported for food, analytical, medicinal, or manufacturing purposes; seeds of field crops, vegetables, and annual, biennial and perennial flowers which are essentially herbaceous in character, except seeds of *Lathyrus*, *Vicia*, and okra; or for sterile cultures of orchid seedlings in glass containers. This "nonpermit" material, however, is subject to inspection and certain other conditions.

Bulbs imported under permit are subject to inspection and must comply with other requirements of the regulations.

All imported plant material is subject to inspection to determine freedom from pests, except as noted in the regulations. Treatment of most classes of material is another condition of entry. Entry will be refused to plant material found upon inspection to harbor injurious pests which are not widely prevalent in the United States when no adequate treatment is available.

All restricted plant material must be free from sand, soil, or earth with certain limited exceptions. Shipments not so freed may be refused entry.

Size-age limitations for all restricted trees and shrubs to be imported are prescribed.

Types of plant material that may be imported from designated countries subject to growing under postentry quarantine conditions are also listed.

The quarantine and regulations should be consulted for specific details.

European corn borer.—Quarantine No. 41, revised, effective June 1, 1926: Forbids, except as provided in the rules and regulations supplemental thereto, revised effective March 1, 1933, as amended, effective July 15, 1947, October 1,

1948, and September 10, 1952, the importation from all foreign countries and localities of the stalk and all other parts, whether used for packing or other purposes, in the raw or unmanufactured state, of Indian corn or maize, broomcorn, sweet sorghums, grain sorghums, Sudan grass, Johnson grass, sugarcane, pearl millet, napier grass, teosinte, and jobs-tears, on account of the European corn borer (*Pyrausta nubilalis* Hubn.) and other dangerous insects and plant diseases.

Rice.—Quarantine No. 55, revised, effective November 23, 1933: Forbids the importation of seed or paddy rice from all foreign countries and localities except the Republic of Mexico, and forbids the importation of rice straw and rice hulls from all foreign countries and localities, and seed or paddy rice from the Republic of Mexico, except as provided in the rules and regulations supplemental thereto effective November 23, 1933, as amended, effective August 1, 1934, on account of injurious fungus diseases of rice, including downy mildew (*Sclerospora macrocarpa*), leaf smut (*Entyloma oryzae*), blight (*Oospora oryzae*), and glume blotch (*Melanomma glumarum*), as well as dangerous insect pests.

Fruits and vegetables.—Quarantine No. 56, effective November 1, 1923: Forbids, except as provided in the rules and regulations supplemental thereto, revised, effective December 1, 1936, as amended effective April 7, 1948, and September 5, 1952, the importation into the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States of fruits and vegetables, except as restricted, as to certain countries and districts, by special quarantines and other orders, and of plants or portions of plants used as packing material in connection with shipments of such fruits and vegetables from all foreign countries and localities other than the Dominion of Canada, on account of injurious insects, including fruitflies and melonflies (Trypetidae). Includes and supercedes Quarantine No. 49 on account of the citrus blackfly.

Flag smut.—Quarantine No. 59, effective June 8, 1953, as amended effective February 23, 1954 and February 25, 1956: Forbids, except as provided in the rules and regulations supplemental thereto, the importation of grain of any and all species and varieties of wheat (*Triticum* spp.): wheat straw, hulls, and chaff; wheat products of the milling process, such as bran, shorts, thistle sharps, and pollards, but excluding wheat flour; and seeds of *Melilotus indica* and of any other field crops that have been separated from wheat during the process of screening; from Aden Protectorate, Afghanistan, Australia, Bulgaria, Caucasus (including but not limited to Azerbaidzhan, South Russia, and Transcaucasia), Chile, China, Cyprus, Egypt, Greece, India, Iran, Iraq, Israel, Italy, Japan, Oman, Pakistan, Palestine, Portugal, Saudi Arabia, Sinai Peninsula, Spain, Syria, Trans-Jordan, Tunisia, Turkestan, Turkey, Union of South Africa, and Yemen.

Packing materials.—Quarantine No. 69, effective July 1, 1933, as amended, effective July 1, 1933, and June 8, 1953: Forbids the entry from all foreign countries and localities of the following materials when used as packing for other commodities, except in special cases where preparation, processing, or manufacture are judged by an inspector of the United States Department of Agriculture to have eliminated risk of carrying injurious insects and plant diseases: Rice straw, hulls, and chaff; cotton and cotton products; sugarcane, including bagasse; bamboo leaves and small shoots; leaves of plants; forest litter; and soil containing an appreciable admixture of vegetable matter not therein provided for by regulation. All parts of corn and allied plants are likewise prohibited except from Mexico and the countries of Central America, the West Indies, and South America. This quarantine also brings under restriction, involving inspection at will by the Department but requiring no permit or certificate, the following when used as packing: Cereal straw, hulls, and chaff (such as oats, barley, and rye), from all countries, except rice straw, hulls, and chaff which are prohibited importation from all countries, and except wheat straw, hulls, and chaff which are restricted importation from Aden Protectorate, Afghanistan, Australia, Bulgaria, Caucasus (including but not limited to Azerbaidzhan, South Russia, and Transcaucasia), Chile, China, Cyprus, Egypt, Germany, Greece, India, Iran, Iraq, Israel, Italy, Japan, Netherlands, Oman, Pakistan, Palestine, Portugal, Saudi Arabia, Sinai Peninsula, Spain, Syria, Trans-Jordan, Tunisia, Turkestan, Turkey, Union of South Africa, and Yemen; corn and allied plants from Mexico, Central America, the West Indies, and South America; willow twigs from Europe; grasses, hay, and similar dried plant mixtures from all countries; and authorized soil-packing materials from all countries. This quarantine does not cover such widely used packing materials as excelsior, paper, sawdust, ground cork, charcoal, and various other materials which, because of their nature or process of manufacture, are unlikely to transport plant parasites.

Dutch elm disease.—Quarantine No. 70, revised, effective October 31, 1947: Forbids the importation from Europe, Canada, and other foreign areas north of the United States, on account of a disease due to the fungus *Ceratostomella ulmi*, of seeds, leaves, plants, cuttings, and scions of elm and related plants; logs of elm and related plants; lumber, timber, and veneer of such plants if bark is present on them; and crates, boxes, barrels, packing cases, and other containers, and other articles manufactured in whole or in part of the wood of elm or related plants if not free from bark.

Coffee.—Quarantine No. 73, effective April 1, 1940: Prohibits the importation into Puerto Rico from all foreign countries and localities of (1) the seed or beans of coffee which, previous to importation, have not been roasted to a degree which, in the judgment of an inspector of the Department of Agriculture, will have destroyed coffee borers in all stages, (2) coffee berries or fruits, and (3) coffee plants and leaves, on account of an injurious coffee insect known as the coffee berry borer (*Stephanoderes [coffeeae] Hgdn. hampei* Ferr.) and an injurious rust disease due to the fungus *Hemileia vastatrix* B. and Br. Provision is made for importations of samples of unroasted coffee seeds or beans and for shipments of unroasted coffee seeds or beans in transit to destinations other than Puerto Rico.

Cut flowers.—Quarantine No. 74, effective August 1, 1947, and September 5, 1952: Restricts the entry of cut flowers into the continental United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States from foreign countries, including those in Europe, Asia, Africa, Australasia, South America, Central America, North America, and other foreign countries and islands (other than cut flowers produced in the Dominion of Canada, Labrador, Newfoundland, and the United States), except as provided in the regulations supplemental thereto.

OTHER RESTRICTIVE ORDERS

The regulation of the entry of nursery stock from foreign countries into the United States was specifically provided for in the Plant Quarantine Act. The act further provides for the similar regulation of any other class of plants or plant products when the need therefor shall be determined. The entry of the plants and plants products listed below has been brought under such regulation.

Nursery stock.—The conditions governing the entry of nursery stock and other plants and seeds from all foreign countries and localities are indicated above under "Foreign plant quarantines." (See Quarantine No. 37.)

Potatoes.—The order of December 22, 1913, and the regulations issued thereunder, revised, effective March 1, 1922, and amended, effective April 15, 1944, May 2, 1949, January 8, 1953, and June 3, 1954, restrict the importation of potatoes from all foreign countries and localities except the Dominion of Canada and Bermuda, on account of injurious potato diseases and insect pests. The importation of potatoes is now authorized from Bermuda, Canada, Cuba, and the Dominican Republic.

Plant safeguard regulations.—These rules and regulations, revised, effective December 1, 1932, as amended effective October 1, 1949, and June 1, 1950, provide safeguards for the landing or unloading for transshipment and exportation and for transportation and exportation in bond of restricted or prohibited plants and plant products when it is determined that such entry can be made without involving risk to the plant cultures of the United States and also provide for the safeguarding of such plant material at a port or within the territorial limits of the United States where entry or landing is not intended or where entry has been refused.

Rules and regulations governing the movement of plants and plant products into and out of the District of Columbia.—These rules and regulations, revised effective April 30, 1938, are promulgated under the amendment to the Plant Quarantine Act of May 31, 1920. They provide for the regulation of the movement of plants and plant products, including nursery stock, from or into the District of Columbia and for the control of injurious plant diseases and insect pests within the said District.

MISCELLANEOUS REGULATIONS

Mexico border regulations.—These regulations, effective September 8, 1942, as amended effective November 15, 1949, and December 31, 1954, were promulgated under the Act approved January 31, 1942, entitled, "To provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other

vehicles, and other materials entering the United States from Mexico" (56 Stat. 40; 7 U. S. C. 149), and supersede the rules and regulations prohibiting the movement of cotton and cottonseed from Mexico into the United States and governing the entry into the United States of railway cars and other vehicles, freight, express, baggage, or other materials from Mexico at border points, promulgated June 23, 1917, and amended effective January 29, 1920. They are designed to prevent the entry of the pink bollworm of cotton, which is known to exist widely in Mexico. They provide for the examination of passengers' baggage, for the disinfection of railway cars and other vehicles, freight, express, and other shipments. All fees collected for disinfecting railway cars and other vehicles are deposited in the United States Treasury as miscellaneous receipts.

The inspectors concerned in the enforcement of these regulations at border points are charged also with enforcement of restrictions on the entry of plants and plant products under various foreign plant quarantines.

Regulations governing sanitary export certification.—These regulations, revised effective July 1, 1945, were promulgated pursuant to authority granted in the Department of Agriculture Organic Act of 1944, approved September 21, 1944 (58 Stat. 724). They provide for the inspection and certification of domestic plants and plant products intended for export to countries requiring such certification.

Regulations governing entry of mollusks.—These regulations, effective October 22, 1952, were promulgated under the Act approved September 22, 1951, entitled, "An Act to prevent the entry of certain mollusks into the United States." The regulations provide that produce, baggage, salvaged war materials, and other goods that might harbor the giant African snail and other destructive mollusks will be subject to inspection upon arrival in this country from foreign countries and from Guam. Inbound vessels, vehicles, aircraft, or other conveyances that are found upon inspection to contain such pests may be refused entry or may be allowed to enter after thorough treatment under strict safeguards. Provision is made in the regulations for importation of mollusks for scientific purposes. Those imported for use in medical research may enter under permits issued by the U. S. Public Health Service.

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